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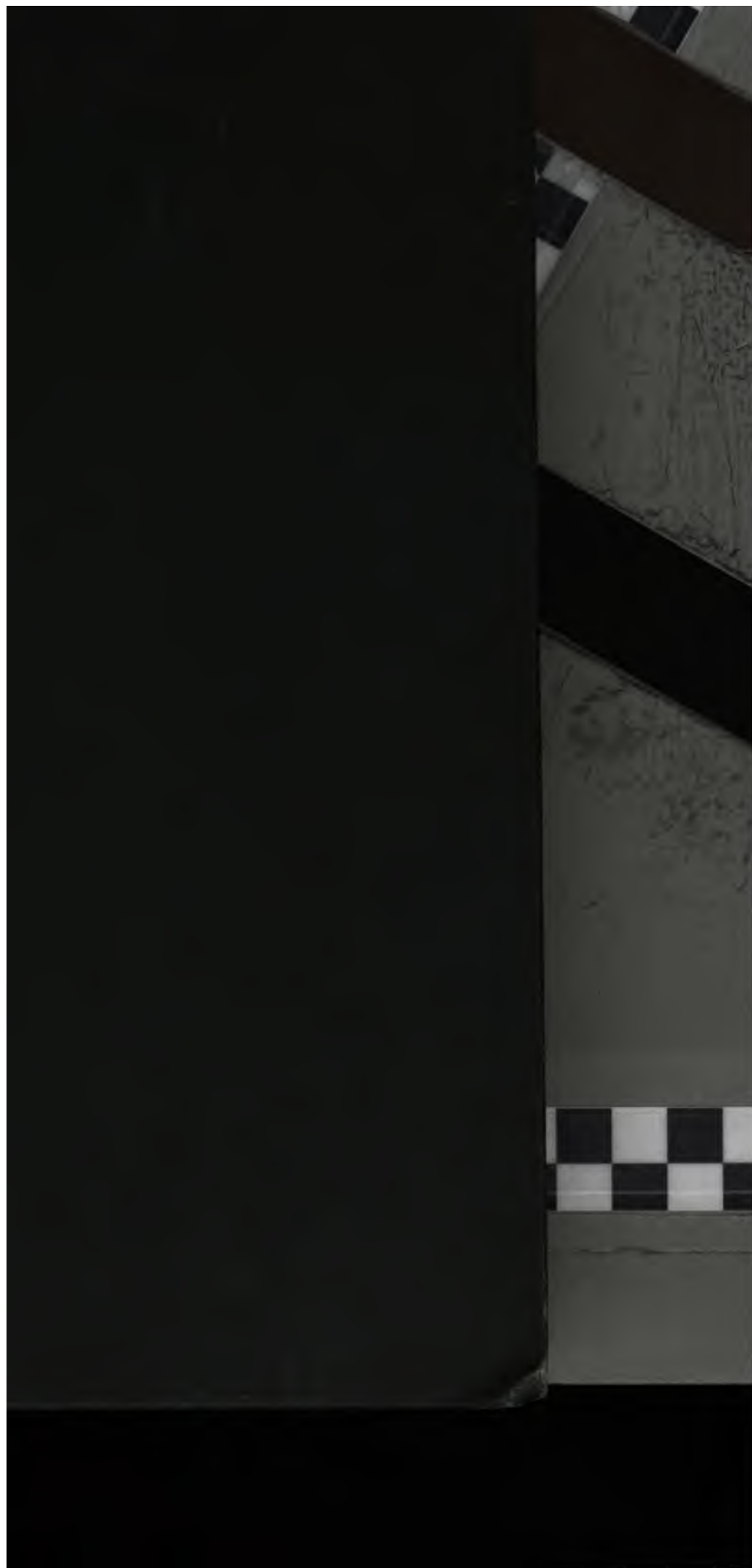
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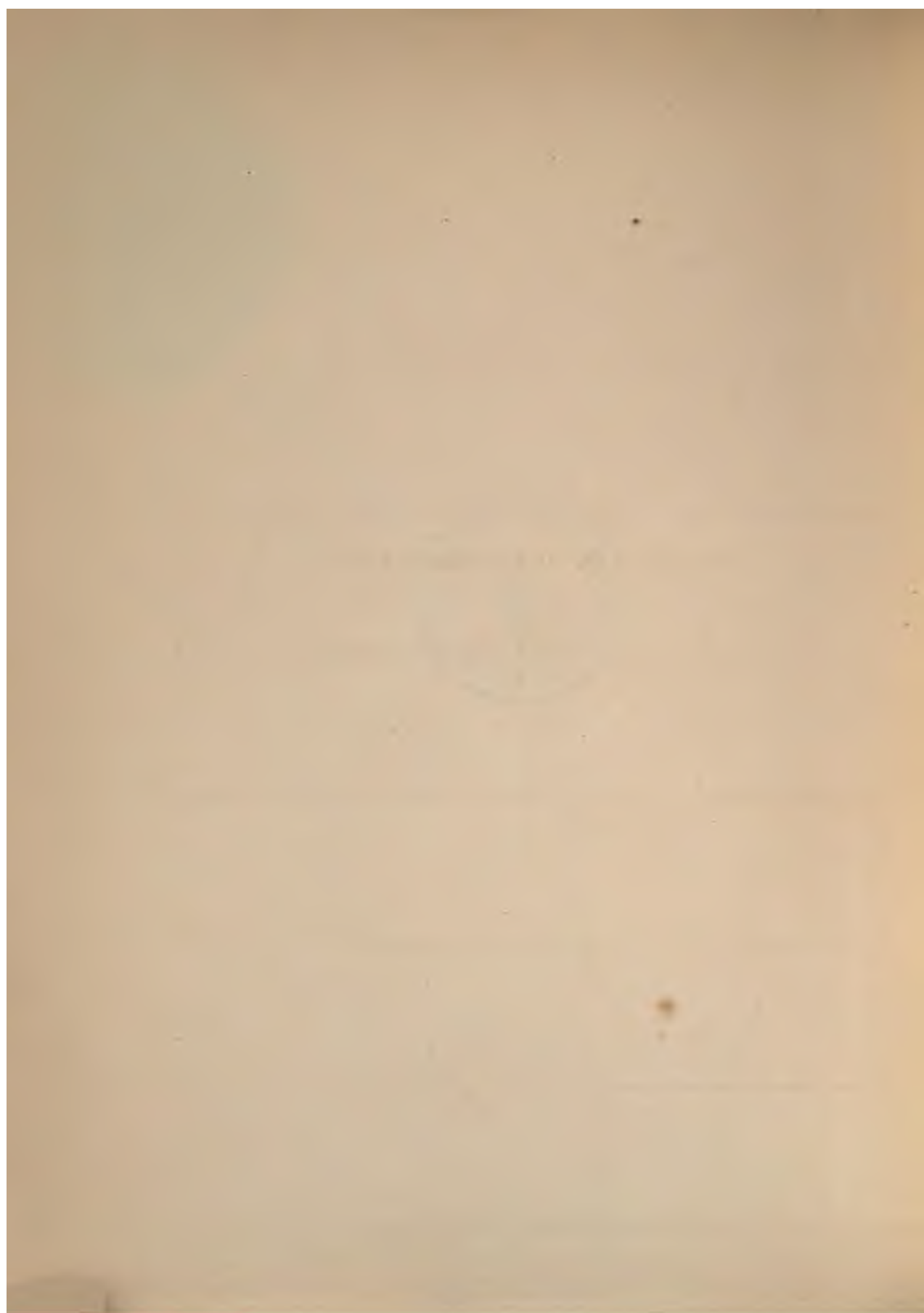
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HISTORY OF WESTMORLAND.



POPULAR COUNTY HISTORIES.

A

HISTORY OF WESTMORLAND.

BY

RICHARD S. FERGUSON, M.A., LL.M., F.S.A.,

*Chancellor of Carlisle,
President Cumberland and Westmorland Antiquarian
and Archaeological Society,
Author of 'A History of Cumberland,' etc., etc.*

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PREFACE.

THE writer has made liberal use of papers in the *Transactions of the Cumberland and Westmorland Antiquarian and Archæological Society*, and thanks the authors thereof for much assistance and advice. Mr. Robert Ferguson's works have been a great help, but it would occupy too much space to enumerate all the authors from whom he has derived information. The Classified List of Books must be turned to. He must plead guilty to having appropriated whole passages, sometimes of considerable length, from the works of a writer who has written several local books, the present Chancellor of Carlisle.

He has not found the reports of the Historical Manuscripts Commissioners so useful as might have been expected; this arises from two reasons: first, the Commissioners as a rule only print and calendar information of general, not of merely local, interest; second, that letters containing local news are sent away from West-

different, and may perhaps be found elsewhere: those
 containing some from London and others from the
 States that are printed in Vermont and stored in
 the State of New York remain to be printed in:
 there are some copies of documents in Lyons and in
 Kyoto, relating to land section cases, which the
 Commissioners for the Survey.





HISTORY OF WESTMORLAND.

CHAPTER I.

INTRODUCTORY.—THE EARLY INHABITANTS.

IT is the fashion now, and has been for perhaps a hundred years and more, to spell the name of the county with which this book concerns itself as Westmorland. This spelling was adopted by Nicolson and Burn in their history of the county, published in 1777; and by Hodgson in the letterpress and running heads of his description of the county, published in 1820, though on his title-page and plates he uses the older variant of Westmoreland. This last spelling is used by Sir Daniel Fleming in his description of the county, written in 1671, wherein he says that "Westmoreland is nothing else but a western moorish country." And this definition has some support in the fact that the Saxon Chronicle calls the district *Westmoringa land*—the land of the West-moor-men. But Fleming's definition is not acquiesced in by Sir George Duckett, the editor of Fleming's tract,¹ nor by Nicolson and Burn in their

¹ Fleming's "Description of the County of Westmoreland," edited by Sir G. Duckett, 1882, p. 1, n.

history,¹ nor by Hodgson,² though all of them use the spelling Westmorland or Westmoreland. All of these writers point out that the old and proper way of spelling the name of the county was in Latin *Westmaria* or *Westmeria* and in English Westmerland. It occurs in the Pipe Roll of 31 Henry I. as Westmarieland, in which form, or as Westmariland, it occurs throughout the reign of Henry II. In the succeeding reigns of Richard I. and John the orthography is Westmerieland and Westmeriland. The derivation of the name from a mythical British king called Marius may be disregarded. We are left, then, with the two suggestions of "The land of the western meres, or boundaries," and "The land of the western meres, or lakes." The last of these is favoured by Hodgson, and seems the more probable. Westmorland, however, is now the name of the county, and to revert to Westmerland, because more consonant with the probable derivation, would somewhat savour of pedantry.³

The county of Westmorland is bounded on the east by the counties of Durham and York, on the south by the counties of York and Lancaster, on the west by the counties of Lancaster and Cumberland, and on the north by the counties of Cumberland and Durham. Its extreme north point is just to the south of Cross Fell in Cumberland, and near to Tees Head, which river, running in a south-easterly direction, forms the county boundary as far as Caldron Snout. Here the boundary turns for a short distance to the west up the Maize Beck, and then goes off boldly to the east and south, over Mickle Fell and Stainmore Forest, to the Spittal-house on Stainmore,

¹ Nicolson and Burn's "History of Westmorland," p. 1.

² Raine's "Life of Hodgson," p. 3.

³ Hodgson Hinde, in the preface to the "Pipe Rolls of Cumberland, Westmorland, and Durham," considers the name to mean the land west of the lofty moors, which separate the county from Yorkshire.

the most eastern point of the county. It runs from thence in a south-westerly direction by the Nine Standards to the Lady Pillar on Hugh Seat Morville; thence due west by the river Rothay and the Carlingill Beck to the river Lune; due south down that river to its junction with the Rothay, and here the boundary makes a sweep to the east by the county stone so as to include Barbon Fell, and then continues due westward, past Heron-Sike in Burton, the most southerly point of the county, to the sea in Morecambe Bay, below Arnside. The river Winster, Windermere Lake, and the river Brathay divide Westmorland from Lancashire, and bring us to the Shire Stones on Wrynose; thence the boundary between Cumberland and Westmorland runs over Bow Fell, Dunmail Raise, Dolly Waggon Pike, and Helvellyn, and down the Glencoin Beck to Ullswater at the west end of Gowbarrow Park; thence up the lake and up the Eamont river bring us nearly back to Tees Head.

The length of the county from the extreme north near Tees Head to Heron-Sike in Burton, at the extreme south, is about forty miles, and it is about the same from the Shire Stones on Wrynose to the Spittal-house on Stainmore, the extreme points to west and east. The area enclosed is irregular in outline, but may be compared to a square with small lugs, or handles, about the middle of its east and west sides, with a large canton taken out of its south-east quarter, and its north-west angle sliced off with a long cut along the north side.

Westmorland is wholly mountainous. The eastern side is traversed by the great Pennine Chain, which extends from the Tweed to Derbyshire, losing itself in the Midlands. The west and centre are occupied by the mountains of the Cumbrian Group or Lake Fells, which are separated from the Pennine Chain by the valley of the Eden. The Pennine Range enters the county across its

northern boundary immediately south of Cross Fell, in Cumberland, and runs south-eastwards to the borders of Yorkshire. The range then turns to the south-south-west, leaving Kirkby Stephen to its north and west, to the sources of the Eden in Mallerstang Forest under the mountain Hugh Seat Morville. It thus lies between the Tees to the eastward, flowing south, and the Eden to the westward, flowing north, and it sheds its waters on the one side to the German Ocean and on the other to the Solway Frith. The principal heads or mountains into which this range rises are, beginning from the north, Dun Fell, Dufton Pike, Murton Pike, Warcop Fell, Roman Fell, Musgrave Fell, and Helbeck Fell. All these are to the north of the depression through which the river Belo, or Belay, flows into the Eden from the eastwards, between Great Musgrave and Kirkby Stephen. South of this depression are the Nine Standards and Hugh Seat Morville, Hucat Morville, or Hugh's Seat, as it is variously called. None of these attain the height of Cross Fell, in Cumberland—2,892 feet. The principal range of the Cumbrian Mountains reaches the borders of the county on the west side near Helvellyn, passes immediately below the Patterdale end of Ullswater, south-east to Kirkstone Fell, and then sweeps across, almost due east, to the head of the valley of the Eden, on the eastern side of the county, by which valley, here very narrow, it is separated from the Pennine range. This ridge, or range, about midway between Kirkstone Fell and the Eden Valley, is divided by a deep depression known as the Tebay Gorge, through which the river Lune, rising to the east of Tebay, runs due south into Lancashire. From this main Cumbrian Ridge (so called here as originating in and coming into Westmorland from Cumberland), a strong spur starts off northward at High Street, a little to the east of Kirkstone Fell, and runs on the east side of Ullswater nearly to the bank of the

Eamont opposite Penrith. Another spur runs to the north from the Cumbrian Ridge about Birkbeck Fells, and forms the range of Shap Fell. The waters from these two spurs and their subordinate spurlets (to coin a word) drain northwards by the Eamont, Lowther, and Lyvennet rivers into the Eden, and so to the Solway Frith. From the south of the Cumbrian Ridge a spur runs to Grasmere, and dies away there. Other spurs and branches run to the south of the county, and their waters drain to the south by the Winster, Kent, Betha, and other rivers. Another range of the Cumbrian group of mountains intrudes upon the extreme west of the county, and is divided into two by the valley of Great Langdale; Langdale Pikes, Silver How, and Loughrigg Fell are between Grasmere and Great Langdale; and Bow Fell and Wrynose form the western termination of the valleys of Great and Little Langdale, which are separated from one another by a ridge called Lingmire.

The highest mountains, wholly or partly within the county, are Helvellyn, 3,118 feet high; Bow Fell, 2,960 feet; Rydal Head, about the same; High Street, 2,663; Ill Bell, 2,476; Harrison Stickle, 2,401; Pike O'Stickle, 2,323; Wansfell Pike, 1,597; Loughrigg Fell, 1,101, etc.¹

The Lake District of Westmorland, on the western side of the county, sends its waters into the Irish Sea and the Solway Frith. The Kent is the main stream, draining the waters of this district to the south, and it gathers up the Sprint from Long Sleddale, the Mint from Fawcet Forest, the Underbarrow, the Betha, and the Winster, or Pool, and carries their waters into its estuary in Morecambe Bay, and so into the Irish Sea. To the north the Lake District is drained by the Eamont, running

¹ These heights are taken from the table in Jenkinson's "Practical Guide to the Lakes," and the description of the mountain ranges is based upon that in Whelan's "History of Westmorland."

out of Ullswater; the Eamont gathers up the Lowther, draining the north centre of the county, and they coalesce with the Eden, which drains the east of the county, and so all flow into the Solway Frith. The south centre of the county is drained by the Lune, which rises in Ravenstonedale, runs west to Tebay, and then goes almost due south into Lancashire. The rivers of Westmorland, like the bulk of the rivers of Cumberland, are rapid, bright, and clear. Shallow and deep pools alternate. They are not navigable.

The principal lakes in Westmorland are Ullswater, Windermere, Grasmere, Haweswater, Elterwater, Broadwater and Rydalwater. Ullswater, or Ousemere, as it was once called, lies between the two counties of Cumberland and Westmorland, the upper portion being wholly in the latter county, while the lower portion is divided between it and Cumberland. It is a zigzag of three reaches, about nine miles long, and by many is considered to be the most beautiful of all the lakes. Windermere, or Winandermere, is $10\frac{1}{2}$ miles long, and for the greater part of its length divides Westmorland from Lancashire, in which county its lower portion wholly lies. It is probable that the Romans brought barges laden with stone from the sea up to the head of this lake. Grasmere, Haweswater, Elterwater, Broadwater (also called Brother's Water), and Rydalwater are much smaller sheets of water. Elterwater has been stigmatized by someone as the shabbiest and most disreputable of all the lakes, but to the wild grandeur of Haweswater and the sweet beauty of Grasmere and Rydal no one can be dead. For the names of the smaller lakes, or *tarns*, which abound in the district, the curious must refer to the usual guide-books.

For the greater part of the last century the Lake District was as primitive and as out-of-the-world a place as could possibly be imagined. English travellers did not visit mountains for the sake of mountain scenery, but

only to traverse them into the plains of Italy. They liked their sherry sweet and their scenery flat. A fine champagne country was their idea of the picturesque; and small blame to them if they preferred the view from Richmond Hill, in Surrey, to any other in the world. But the travelling world was gradually educated. A writer of taste in 1748 published in the *Gentleman's Magazine* a glowing description of a visit to Winandermere. Mr. Dalton's Poem on the Lakes, printed in the first volume of the Dodsley Collection in 1758, and Dr. Brown's "Description of the Neighbourhood of Keswick," printed at Newcastle in 1767, spread the fever of curiosity to see these parts. Next came an oft-quoted classic on the subject. Mr. Gray's "Journal in a Letter to Dr. Wharton" was written in October, 1769, and published in the memoirs of his life by Mr. Mason. Mr. Gray travelled with a plano-convex mirror set on black foil, in which he viewed the scenery from selected stations. Gilpin made his tour to the lakes in 1772, and Hutchinson published his "Excursion to the Lakes" in 1774; West, a local Roman Catholic clergyman, published his "Guide to the Lakes" in 1778, in which he reproduces in the appendix Dalton's Poem, Brown's Description, and Gray's Journal. With West commenced the era of Lake guide-books, to the making of which there is no end. The French Revolution closed the Continent to English travellers, and they turned to the Lake District. Later, a school of poets gave fame thereto, and attracted their votaries. Nowadays railways and cheap trips have opened the district to everyone. The Liverpool man and the Manchester man have claimed it as their own, and studded the banks of Windermere with villas fearfully and wonderfully made. Cheap lodging-houses arise like nightmares on the foreshore, and steam gondolas plough the waters once dear to Wordsworth. Excellent hotels feed all comers

à la table d'hôte. Visitors are countless. To stand, during the Lake season, on the steps of that admirable hostelry, the Prince of Wales, at Grasmere, is to witness an everlasting procession of four-horse coaches, *char-à-bancs*, cyclists, and pedestrians. The language of America is prevalent. The roads bristle with guide-posts, and Beecham advertises his pills on lakes and mountains. But the grand beauty of the mountains is as yet untarnished. Even the Manchester and Thirlmere navy has failed to do this, and few of the processionists ever wander from the beaten tracks. On the fells one can soon be alone, except for the memorials of the past inhabitants, which stud the surface in abundance.

A very ancient line of road, certainly British, traverses the county from east to north, coming from the great plain of York, entering the county at the Spittal-house, crossing the pass of Stainmore, and passing down the valley of the Eden into the plain of Cumberland. Another ancient road comes from the south up the valley of the Lune and the Tebay Gorge, and, crossing the first road near Kirkby, there continues over the grouse moors of the east of Cumberland to Bewcastle and the Far North. To these roads we will recur when we come to deal with the Roman settlement.

Up to the present time no implements of the Palæolithic period have been found, either in caves or river-drift, within the area of Westmorland, or, indeed, in the North of England; and the view of Professor Boyd Dawkins, that their absence is due to the presence of glaciers, is considered by Sir John Evans to be well founded.¹ Sir John Evans has, however, suggested the possibility that there may be gravels along the valley of the Eden in which drift implements might eventually be found. Stone implements of the Neolithic period have been found at many places in Westmorland. Those of

¹ *Archæological Journal*, vol. xxxix., p. 441.

most common occurrence are large celts or hatchets, the greater part of them made of the felspathic rocks so abundant in Cumberland and Westmorland, and of a shape often considered peculiar to Cumberland, but also found in Westmorland and North Lancashire.¹ Perforated stone axes, somewhat flattened at the butt, like a common Cumberland variety, also occur, and may rather be called axe-hammers.² Another variety of so-called stone-hammer has been found in Westmorland in some numbers. They consist, as a rule, of oval pebbles or boulders, around which, somewhere about the middle of their length, a shallow groove has been chipped or picked. They are often of a softer stone than those generally employed for hammers, are not battered or worn at the ends, and seem usually to occur in the neighbourhood either of lakes, rivers, or the sea. Hence, they are probably net or line sinkers, and not necessarily of any great antiquity. Larger varieties of harder stone, and with battered and bruised ends, are often found in mining districts in England and Wales, and were no doubt hammers used in early mining operations, and hafted with a hazel withe twisted round them, as a blacksmith's chisel is mounted at the present day.³

The long barrows of the dolicho-cephalic, or long-headed, race, who used these stone implements, are of very rare occurrence in the north-western parts of England. Professor Rolleston and Canon Greenwell opened a very large and in some respects a remarkable one, called Raiset Pike, situate in the parish of Crosby Garrett, Westmorland.⁴ It was placed on rising ground, and was composed of limestone and sandstone, some of the stones being of large size. They were so arranged as to form flues and keep up a draught until the funeral fire had

¹ Evans's "Ancient Stone Implements," p. 106.

² *Ibid.*, p. 179.

³ *Ibid.*, pp. 208, 211.

⁴ Greenwell and Rolleston's "British Barrows," p. 510.

thoroughly done its work. The remains of six or seven cremated bodies were discovered, but unburnt bones, principally of children, were scattered through the mound. Bones of ox, horse, goat or sheep, pig, fow, mart, water-vole, and grouse were found, but no pieces of flint or pottery. Other long barrows are pointed out in various parts of the county—the Giants' Graves at Haweswater, the Giants' Graves at Mallerstang, and some long mounds in Ravenstonedale—but it is probable that these are nothing but bracken stack-bottoms. Such was the opinion of a competent authority, the late Dr. Simpson, F.S.A., the Vicar of Kirkby Stephen, and president of the local archæological society. Excavations into one of the mounds at Haweswater yielded nothing to controvert this view, but most of them are as yet untouched by the spade. Many relics of the brachy-cephalic, or round-headed, race, who intruded themselves upon the dolicho-cephalic race, have been found in Westmorland. Bronze palstaves and javelin-heads have occurred in various places. A bronze blade, nearly twenty inches long, was found at Helton Dale, near Ullswater. At Harbyrnrigge a long and broad bronze blade, or halbert head, of a form not uncommon in Ireland, was found in draining.¹ Near to a spring, a little to the east of the village of Crosby Ravensworth, two of the curious and enigmatical spoon-shaped bronze articles of the "late Celtic" period were dug up.²

The round barrows and cairns of the brachy-cephalic men are numerous in Westmorland, and are found on almost every fell. Several in the parishes of Kirkby Stephen, of Warcop, of Asby, of Crosby Garrett, of Ravenstonedale, of Orton, of Crosby Ravensworth, and of Askham have been excavated by Canon Greenwell, who has put on record the results.³ Cairns abound upon Moor

¹ Greenwell and Rolleston's "British Barrows," p. 397.

² *Ibid.*, p. 397; *Archæological Journal*, xxvi., p. 62.

³ Greenwell and Rolleston's "British Barrows," pp. 381-401.

Divock, the high plateau between the foot of Ullswater on the west and Helton Flecket on the east. The late Dr. M. W. Taylor, F.S.A., of Penrith, was the first to call attention to the existence among these of "starfish cairns," or cairns with projecting rays like the arms of a starfish.¹ The conjecture is that the projecting rays cover secondary interments. Megalithic monuments, such as upright stones, or *menhirs*, stone circles, and stone-avenues are common; such as the Kop-Stone on Moor Divock and the Guggleby Stone at Shap; the stone circles and avenues at that place, and on Moor Divock; the stone-circles on Lowther Scar, at Crosby Ravensworth, at Leaset Wood by Clifton Dykes, at Gamelands, and elsewhere. Under the name of Carl-Lofts, the megalithic remains at Shap have attained a reputation they are hardly entitled to. The country people tell legends of an avenue of *menhirs* extending from Shap to Moor Divock, a distance of at least seven miles. Pennant and Stukeley more modestly mention an avenue of one and a half miles extending from the village of Shap into the precincts of Shap Abbey, and some modern antiquaries have laboriously amused themselves by endeavouring to reconstruct the "serpentine avenue" of Stukeley. But the Rev. W. C. Lukis, F.S.A., who surveyed in 1884 the megalithic remains at Shap on behalf of the Society of Antiquaries of London, thinks that this avenue had no existence on such a scale. Pennant's account is based, he shows, upon that of Stukeley, who visited Shap upon a rainy day in 1725, in weather, therefore, by no means favourable to archæological research on a bleak and exposed moor. From Carlisle Stukeley sent over to Shap a young and inexperienced surveyor named Routh, who in one day (an utter impossibility) made a plan of the Shap mega-

¹ Prehistoric remains on Moor Divock, *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. i., p. 162; vol. viii., p. 323, etc.

lithic remains, which cannot now be found among the Stukeley papers. Mr. Lukis, who edited the Stukeley papers for the Surtees Society, concludes that the serpentine avenue from Shap to Shap Abbey is due to the vivid imagination of that eminent antiquary. Further, Mr. Lukis, after a careful survey of the existing remains and due consideration of the evidence as to what has disappeared, is of opinion that Shap was a necropolis extending over a considerable area, and that there may have been double and single rows of stones, but not necessarily as part of a specified system.¹ Moor Divock would seem to be also a necropolis on a large scale, and the same might be said of the vicinity of Crosby Ravensworth. Several stone circles, known on undoubted evidence to have existed in various parts of the country, have disappeared under the ravages of the builder, the agriculturist, or the road-maker.

Whether these stone circles belong to the pre-Roman period or whether they were erected at a later date has been the subject of controversy, and has been discussed by the present writer in his companion "History of Cumberland." The better opinion is that they are of pre-Roman date, though Mr. James Fergusson in "Rude-Stone Monuments" has advanced very ingenious arguments in favour of their being post-Roman, the work of a people that had been influenced by Roman civilization. Popularly they are known by the misnomer of Druidical circles and temples, but the spade and the pickaxe have proved the majority of them to be places of sepulchre—the places of sepulchre of bodies that have been burnt. One thing seems certain, that whoever were the builders of these circles, they also inhabited the Isle of Man; for

¹ *Proc. Soc. Ant.*, N.S., vol. x., pp. 313-320. See also Dr. Simpson in *Archæological Journal*, xviii., p. 29; and Dr. M. W. Taylor, *Transactions, Cumberland and Westmorland Antiquarian and Archæological Society*, vol. viii., p. 341.

the kirks, or stone circles, the cairns and giants' graves, of that island are the exact counterparts of those in Cumberland and Westmorland. Mr. James Fergusson shows that a circle-building race came from the North, touching first at the Orkneys, and, passing down through the Hebrides, divided themselves in the North of Ireland, one branch settling on the west coast of that island, while the other landed in Cumberland, and penetrated into England (and Westmorland) in a south-easterly direction. This fits in with what is known of the migration of the Hiberno-Celts, presently to be mentioned, and points to Hiberno-Celts as the probable architects of the stone circles. Mr. Lukis favours the belief that the large monolithic circles in England served the same purpose as the outer ring of monoliths of the Scotch monuments; *i.e.*, that they constituted the stone fence surrounding a family burial-place. He says:

There is, further, some reason to believe that the intervals between the large erect stones of this fence were originally filled with a dry walling of small stones, by which means the enclosed area was rendered secure against the intrusion of animals. In some cases, when the materials of the locality were suitable, this fence was composed of flat slabs, set up in contact, as in the Rollright Circle, Oxfordshire, and traces of this arrangement are observable elsewhere. This arrangement will account for an avenue, or entrance passage, being attached to the fence.¹

Here, then, we have in these entrance avenues the materials out of which Stukeley evolved the great serpentine avenue from Shap to Shap Abbey. A line of occasional *menhirs*, of which the Guggleby Stone and the Kop-Stone alone survive, probably guided travellers from one moor to the other, and so gave rise to the legend of an avenue of stones from Shap to Moor Divock.

From the abiding-places of the dead, a natural transition leads us to the coeval, or supposed coeval, settle-

¹ *Proc. Soc. Ant.*, N.S., vol. x., pp. 313, 320.

ments of the living. Mr. Clifton Ward gives the following table of prehistoric settlements in the Westmorland portion of the Lake District, as noted by him while surveying for the Geological Survey. The figures refer to the sheet of the six-inch ordnance map on which the remains are, and the letters to the quarters of the several maps :

The Coombes	...	...	13 N.W.
End of Shap (2 miles)	...	...	14
East of Ennerdale Tarn	...	...	18 S.E.
Hartsop Beck	...	...	19 N.E.
S.E. corner of	...	...	19 S.E.
Shap Wells	...	...	21 S.W.
Several old settlements	...	...	21 N.E.
Mickledore	...	...	25 N.W. ¹

Mr. Ward also gives the following list of round or oval camps, which in all likelihood are prehistoric: Castlesteads, 17 N.E.; Measanbecks, 13 S.E.; and Castle Crag Haweswater, 20 N.W. Other British settlements have been noted at High Hugill House, near Windermere, at Holborn Hill, at a place near Kirkby Lonsdale, at Harbyrnrigge, at Oddendale, and Howarcles in Crosby Ravensworth, on Knipe and Ashby Scars, at Lowther Woodhouses, and elsewhere in Westmorland. Very few of these have been critically or thoroughly examined.² Most of them are protected by some sort of enclosing wall, within which are, or rather have been, a collection of beehive huts, wattle wigwams, and the like.

The great circular enclosure of river-rolled stones at Mayburgh, near the river Eamont, once, no doubt,

¹ "Notes on Archæological Remains in the Lake District," by J. Clifton Ward, *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. iii., pp. 241, 244.

² For Ashby or Asby, see *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. xii., p. 1. See "Hugill High House," vol. vi., p. 86; xii., p. 12; "Asby," vol. xi., p. 339; "A Rath near Kirkby Lonsdale," vol. vii., p. 111.

sheltered a community of Neolithic men. Lesser circles, such as that at Castle Croglin, Kirkby Stephen, may have served the same purpose, or may be mere cattle kraals of much later date, refuges from prowling wolves. Omission should not be made of an early enclosure on the shores of the lake, probably a cranoge, at Trostermount-on-Ullswater.¹ A singular enclosure on Moor Divock deserves mention. On one part of the moor there is a circular space, 68 feet in diameter, enclosed with an earthen mound of very slight elevation, the entire area being paved with water-rolled stones.² Similar stone circles with paved floors have been found in Algeria. The earthworks known as King Arthur's Round Table, near Mayburgh, are probably of later date. Careful surveys have been made of these and of Mayburgh by Mr. C. W. Dymond, F.S.A.³

The dwellers in these settlements were skilful workers in metal, and to the same period as these remains we may assign the very fine and large silver fibula, or brooch, and torque, discovered in a cliff on Orton Scar, and now in the museum of the Society of Antiquaries.⁴ A large silver fibula found at Casterton Hall, Kirkby Lonsdale, belongs to a later period, the Iron Age,⁵ and a gold armlet found on Winton Fell, near by Kirkby Stephen, is of the Romano-British period.⁶

The glaciers that at some time or other—most probably after the Palæolithic period—covered the area of Westmorland, must have completely changed the surface

¹ *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. i., p. 160.

² "British Barrows," p. 400.

³ *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. xi., p. 187.

⁴ *Archæological Journal*, vol. ix., p. 90, where the fibula is engraved; "British Barrows," p. 397.

⁵ *Archæological Journal*, vol. vi., p. 69.

⁶ *Proc. Soc. Ant.*, N.S., vol. xii., p. 322.

of the country: but the men of the Neolithic Stone period and of the Bronze period saw the country in its main features much as we see it now, though it is possible that two or three meres or lakes occupied the valley of the Eider, that the now existing lakes were larger, and that many small meres or tarns existed which are now drained dry, or nearly so. But the forests were un-cleared: fallen timber obstructed the streams, the rivers were squandered in the reedy morasses, and only the downs and hill-tops rose above the perpetual tracts of wood. The climate was as yet not mitigated by the organized labours of mankind.¹

We have already divided the early inhabitants of the land, whose monuments we have been discussing, into two races: the earlier, dolicho-cephalic of the Polished Stone period; the other, the later, brachy-cephalic of the Bronze period—a Celtic race—a branch of that great Aryan family which has peopled nearly all Europe and a great part of Asia, and which appears always to have possessed a knowledge of the use of metal. This Celtic race were, compared with their non-Aryan predecessors, a set of very ugly customers: their bones, as dug up, prove them to have been bigger (their average stature over 5 feet 8 inches), thicker, and more muscular; they had broad jaws, turned-up noses, high cheek-bones, wide mouths, and eyes deep sunk under beetling brows that overhung them like pent-houses—the superciliary ridges on their skulls tell that—characteristics in striking contrast to the short stature and mild and pleasant countenances which their bones show the dolicho-cephalic men to have possessed. Armed with the superior weapon, the round-heads soon asserted their superiority over the long-heads. They did not annihilate them; in the round

¹ A description of Britain as the Romans found it has been cited in the companion "History of Cumberland," from "Origins of English History," by C. Elton.

barrows of the round-heads both long and round skulls appear, and in the later round barrows the skulls begin occasionally to appear of an intermediate shape; this shows that the round-headed men of the bronze weapons probably enslaved the long-headed men with the stone weapons and took the long-headed women for their wives. The language of the long-headed men was swallowed up by the language of the round-headed, and the land was in the possession of the Celts. These Celts have been written about under many names; they have been called Gauls, as being a tribe of the Gauls, who inhabited the neighbouring continent; Welsh, as being the progenitors of the present inhabitants of Wales; Irish, for a similar reason; and Britons, or British, as being found in Britain. That the Celts arrived in this country in two waves of migration appears certain: to the earlier wave belonged the ancestors of the people who speak Erse, or Irish, in Ireland; Gaelic in the Highlands of the North, and who are called by Professor Rhys "Goidels"; to the later wave belonged the ancestors of the people who speak Welsh in Wales, and Breton in Brittany, and are called by Professor Rhys "Brythons."¹ They are called "Hiberno-Celts" and "Cambro-Celts" by a local writer, Mr. Sullivan. How far traces of the language spoken by these people survive in the place-names of the district is a moot question: that they do survive is undoubted, but the question is as to degree; both Mr. Sullivan and Mr. Robert Ferguson, F.S.A., have written upon the subject.² The latter writer says:

¹ "Celtic Britain," by J. Rhys, M.A. London: Society for Promoting Christian Knowledge, 1882.

² "Cumberland and Westmorland, Ancient and Modern," by J. Sullivan. London: Whitaker and Co.; Kendal, John Hudson, 1857. "The Northmen in Cumberland and Westmorland." London: Longman and Co.; Carlisle, Steele, 1856. "The Dialect of Cumberland." London: Williams and Norgate; Carlisle, Steele, 1873. Both by Robert Ferguson, F.S.A.

port was not far from Lancaster), the Gadeni and Otadeni of Cumberland and Northumberland, and others; but, as Mr. Elton points out,¹ there were probably a great number of Brigantian clans, both of Celtic and pre-Celtic origin, of which the names have been now forgotten. These probably represented the earlier comers driven into the more remote corners of the district, and held in some sort of subordination by the later comers. The geographer Ptolemy, who lived in the reign of Antoninus Pius, *circa* A.D. 140, has given, in his description of Britain, the names and positions of the chief towns of the Brigantes as follows :

			Long. (from the Insulæ Fortunatæ).	Lat.
Epiacum	...	...	... 18.30	58.30
Vinovium	...	...	... 17.30	58.00
Caturractonium	...	...	... 20.00	58.00
Calatum	...	...	... 19.00	57.30
Isurium	...	...	... 20.00	57.40
Rigodunum	...	...	... 18.00	57.30
Olicana	...	...	... 19.00	57.30
Eboracum (Legio Sexta Victrix)	...	...	... 20.00	57.20
Camulodunum	...	...	... 18.15	57.00

Of these towns *Vinovium*, *Caturractonium*, *Isurium*, *Eboracum*, and *Camulodunum* are identified by help of the "Itinerary," or road-book, of Antoninus Pius, as Binchester in Durham; Catterick, Aldborough, York, and Slack, all four in Yorkshire. *Calatum* is probably the same as the *Galatum* of the same work, and situate, as will hereafter be seen, in either Lancashire or Westmorland. *Olicana* is probably Ilkley in Yorkshire.² *Rigodunum* is not yet identified, but is probably on the Ribble. *Epiacum* alone remains, and for this Mr. Gordon Hills suggests Keswick, while Professor Rhys suggests Old Penrith, a place where was a Roman camp, identified as the *Voreda* of the Antonine "Itinerary." Ebchester, Lanchester,

¹ "Origins of English History," p. 242.

² Watkin's "Roman Lancashire," pp. 2, 3.

and Hexham have also been suggested ; but the cities of the Brigantes, prior to the advent of the Romans, can have been little else than collections of miserable wigwams, and their roads but forest tracks.

We begin to get more positive information about the state of Britain when we come to the expeditions of Julius Cæsar in B.C. 55 and 54. He found in the southern and maritime parts of the island a state of civilization much greater than is generally supposed,¹ due to a large Belgic immigration from the comparatively civilized Gaul. The tribes that Cæsar fell in with were acquainted with the use of iron, and Sir John Evans shows that the inhabitants of the south of Britain must have begun to coin gold pieces in imitation of the Macedonian stater of Philip II. so soon as from 200 to 150 B.C. ; but none of these coins have been found in the territories of the Brigantes, nor had they any of their own. The civilization of the south coast did not extend very far into the interior. Cæsar describes the tribes of the interior as little given to cultivating the soil, but as living on milk and flesh, and clothing themselves in skins. They were tall and stout, but clumsy ; wore their hair long, and shaved all but the upper lip. He says they stained themselves with a blue dye made from woad, to give themselves a more terrible appearance in battle. Cæsar can, of course, have had no personal knowledge of the Brigantes ; but we may safely take it that they were among the fiercest and least civilized of the Celts.

¹ Evans's "Ancient Stone Implements," p. 10 ; Evans's "Coins of the Ancient Britons," pp. 42, 263, *et alibi*.





CHAPTER II.

THE ROMAN CONQUEST.

THE county of Westmorland possesses no such noble monument of the Roman rule as the sister county of Cumberland possesses in the Great Barrier of Hadrian; no town within its borders is so fruitful a mine of Roman relics as the Cumberland city of Carlisle — the Roman Luguwallium; nor has Westmorland such a station as Old Carlisle—"The fairest show of buildings I ever saw: one might almost draw an entire plan of it and of every dwelling," says Stukeley.¹ Nor can the county boast a show of Roman harbours and seaports such as stud the coast of Cumberland. But the Roman roads and forts in Westmorland raise questions as puzzling and as important as those raised in the sister county, and, for their understanding, necessitating the repetition of certain matter which has already appeared in the companion volume on Cumberland.

It was under Agricola that the Roman legions first made their appearance in the district with whose history this volume is concerned. It is unnecessary here to go into the history of the earlier Roman campaigns in Britain. Suffice it to say that prior to the year 78 A.D. the Romans had established themselves, more or less precariously, in the southern parts of the island, and the Brigantes had been in collision, in Yorkshire, with the

¹ *Iter Boreale*, p. 54.

Romans under Petilius Cerealis in A.D. 69 and 70, and had been reduced to submission. Agricola was appointed legate of Britain by Vespasian in A.D. 78. He had previously served in campaigns in that country, and had commanded the 20th Legion under Suetonius Paulinus. His first campaign was against the Ordovices of North Wales. After they had been sufficiently punished, he completed the conquest of Anglesea, which Suetonius had left unfinished. The winter of 78-79 Agricola spent in winter-quarters among the Ordovices in organizing forces for further campaigns, in improving the civil administration, and in rectifying abuses connected with requisitions for corn and other supplies, which had pressed hard upon the Britons, and probably had been the cause, by the resistance they inspired, of the Ordovices requiring punishment. That Agricola's winter-quarters were at Deva (*Chester*) there can be little doubt, nor that Deva had an existence prior to that general's day.¹ It was long the headquarters of the 20th Legion. From Deva Agricola set forth in 79 A.D. on a second campaign, so soon, it may be imagined, as the weather was sufficiently open, and he must have gone northwards. Wales he had already subdued, and Southern, Eastern, and Central Britain had been pacified before his arrival in the country. In order, therefore, to find communities which had maintained their independence (*quæ in illum diem ex æquo egerant*), as Tacitus says he did, he must have gone to the north or north-east. The following words still further narrow the limits: *æstuaria ac silvas ipse prætentare*;² so that he must have gone to the north,

¹ See "Roman Cheshire," by W. Thompson Watkin. Liverpool: Printed for the author, 1886, p. 7.

² Sed ubi aestas advenit contracto exercitu, multus in agmine, laudare modestiam, disiectos coërcere: loca castris ipse capere, æstuaria ac silvas ipse prætentare; et nihil interim apud hostes quietum pati, quo minus subitis excursibus popularetur; atque ubi satis terruerat, parcendo rursus irritamenta pacis ostentare, quibus rebus

for to the north-east he would have met with no estuary until he reached the Tees. The word *æstuaria* can apply only to the estuaries of Lancashire and Cumberland, to the estuaries of the Dee, the Mersey, the Ribble, the Wyre, Lune, Kent, etc., in Lancashire, to the sands of Cartmel, and of Duddon, and of the Solway. The route by these estuaries would satisfy also the word *silvas*, which Tacitus couples with *æstuaria*, for at the time of the Domesday Survey there were 250,000 acres of dense woods in the region between the Mersey and the Ribble alone.¹

At the end of the second year's campaign Agricola took hostages from the hitherto independent communities that he had overcome, and surrounded their territories by a chain of forts, stretching from the Solway to the Tyne. It is probable that in this campaign Agricola was assisted by a detached column marching north from Lindum (*Lincoln*), and having its base of operations there. The limits of the campaign of the second year are defined for us by Tacitus: *Tertius expeditionum annus novas gentes aperuit*, showing that in the second year Agricola did not get beyond the Brigantes, who were well known to the Romans.

In his third year Agricola marched as far as the Frith of Tay, and in his fourth year (A.D. 81) he drew a line of forts from the Frith of Forth to the Frith of Clyde, while in the two following years he went further north, the Roman fleet now co-operating with him; but beyond the line of Forth and Clyde the Romans made no permanent conquests.²

multæ civitates, quæ in illum diem ex æquo egerant, datis obsidiis
castellisq; circumdatæ, tanta ratione curaue ut nulla ante Britannia
nova pars. Tac., "Vita Agricola," cap. 20.

¹ "Roman Lancashire," by W. Thompson Watkin. Liverpool :
Printed for the author, 1883.

² See the author's "History of Cumberland," p. 23.

But if Agricola was successful as a conqueror, he was great as an administrator. He adopted a policy of conciliation and of seduction. He accustomed the rude Britons to Roman luxuries, to elegancies and refinements, and even to the charms of vice: baths, porticos, and elegant banquets came into vogue: the sons of the chiefs were educated and taught Latin: *idque apud imperitos humanitas vocabatur, cum pars servitutis esset*. So well did the policy inaugurated by Agricola succeed, that the *toga* became the universal dress, Latin the language of the towns, which everywhere under Roman rule sprang up, and all the wealthier Britons made themselves as Roman as possible, and sent their sons to study at the great schools of Marseilles. The result was that for the long period during which Britain remained a Roman province its inhabitants made no attempt to throw off the Roman yoke; and it is probably for this reason that the Roman writers give us so little information about the internal condition of the country. The wild tribes north of the Brigantes appear under the name of Caledonians to have given much trouble, and fighting was constantly going on on the borders: occasionally a British governor set up on his own account as Emperor, a matter belonging rather to general Roman history than to that of Westmorland.

Owing, it would seem, to the border fighting, Hadrian on visiting Britain in A.D. 120 found it necessary to build a massive wall, nigh seventy miles long, from Bowness-on-Solway in Cumberland to Wall's End on the Tyne, known now as the Roman Wall or the Great Barrier of Hadrian.

In the reign of Antoninus Pius, who succeeded Hadrian in A.D. 138, we learn from Pausanias that the Brigantes south of Hadrian's Wall were in revolt in the lake districts, but were speedily put down by Urbicus Lollius with great severity, and this is the last heard of the

Brigantes: the name disappears. This general also marched north, and drew a great rampart of earth and sods across from the Forth to the Clyde, along the upper line of Agricola's forts; this rampart is generally known as the Wall of Antoninus Pius, and now rejoices, and long has rejoiced, in the name of the Graham's, or Græme's, Dyke.

Antoninus Pius was succeeded in A.D. 161 by Marcus Aurelius, who took Lucius Verus as his colleague; Commodus succeeded in A.D. 180. During his reign the Caledonians rose, forced the Romans to abandon the Wall of Antoninus, and broke through and more or less destroyed that of Hadrian, though the camps or fortified barracks of Agricola probably held out in isolation from one another. Mr. Watkin, in his "Roman Lancashire," shows that the Caledonian ravages extended as far as Lancashire; they must therefore have swept over modern Cumberland and Westmorland.

Commodus appointed Albinus Clodius Governor of Britain, where he was at the death of Commodus in 192. In order to secure the neutrality of Albinus, Septimus Severus made him Cæsar; another account is that Albinus proclaimed himself Cæsar in Gaul, whither he had proceeded with a large army drawn from Britain. When Severus had disposed of other rivals he marched against Albinus, and in 197 A.D. defeated and slew him at Lugdunum (*Lyon*s) in Gaul. The absence of Albinus and the withdrawal of his troops gave opportunity to a savage and wild tribe, called the Meatae, a supposed new colony from Scandinavia or Germany, and situated north of the Graham's Dyke, to burst into the Roman province: so much trouble did they give that in 208 A.D. the Emperor Severus himself brought large reinforcements to Britain, and took up his abode at Eboracum (*York*), bringing with him his sons Caracalla and Geta, to whom he entrusted the management of affairs in Southern

Britain, while he set off on a campaign against the Caledonians, whom he reduced to sue for peace, at the cost of a loss of 50,000 men to the Roman forces.

Severus died at York in 211 A.D., when Caracalla and Geta made peace with the Caledonians and the Meatae by yielding to them much that their father had gained.

We know little of what happened in Britain for some time after the death of Severus; fifty or sixty years later the Meatae and the Caledonians, or their names at least, disappear, and we begin to hear of the Picts and the Scots, the latter an importation or re-importation from Ireland, and the fierce Attacotti, a name which some have thought to merely mean the Scots who had come from Ireland, as distinguished from those that stayed there. These on the north, and Saxons from the Elbe on the east and south-east coast, harassed the Roman powers, but the events that a general history of the Roman Empire would have to record are not the overwhelming attacks of barbarians, but rather the attempts of the island to give an Emperor to Rome, or to set up a separate Emperor for itself. For the details of these attempts our readers must consult other works, but these attempts, trailing on for many years, gradually sapped the Roman strength in Britain, until at last, in a great and final effort, Theodosius (father of the Emperor of that name) drove back both the Picts and the Scots and the Saxons, and when in 369 A.D. he returned to Rome, he left the Roman province of Britain in peace from the Graham's Dyke to the Land's End.

The revolt against the Emperor Theodosius (son of Theodosius, the successful general) of Magnus Maximus, a Spanish officer in Roman employ in Britain, and his expedition to the Continent, is said to have completely drained Roman Britain of its manhood and its military resources; at any rate, the Picts and the Scots and the Saxons embraced the opportunity of attacking the pro-

vince; Rome, much otherwise embarrassed, could give no help, and at last the feeble Honorius, in 410 A.D., proclaimed the independence of Britain, a euphemistic way of putting the fact that he could no longer hold it.

The stories of Gildas, that about the year 396 A.D. a legion was sent from Rome to the assistance of the Britons, and that under Roman help they made an ineffectual sod wall from the Forth to the Clyde, and a stone wall along the line of Hadrian's Barrier, from which the Picts and the Scots pulled them down with hooks, are not to be relied upon.¹

¹ Much of this chapter appeared in the writer's "History of Cumberland," and is necessarily reproduced here.



they assign to the "Itinerary." Mr. Thompson Watkin attributes its compilation to Antoninus Pius, Emperor A.D. 138—161; while Mr. J. B. Davidson puts it to the time of Caracalla, son of Severus, who took the names of Marcus Aurelius Antoninus, and was Emperor A.D. 212—217.¹ Be its date what it may, it was a working road-book, compiled in the Quartermaster-General's office at Rome, and altered from time to time, as occasions arose, thus probably giving rise to certain puzzling discrepancies in the distances. The third authority, the "Notitia Dignitatum et Administrationum omnium tam civilium quam militarium in partibus Orientis et Occidentis," is the Military and Civil Service List of the Roman Empire. It gives a list of the Roman provinces, with the titles of the governors and of the civil and military dignitaries; a list of the forces under each; and the names of the places where they were in garrison. The date of the British part of this document, as Mommsen has pointed out, is about the year 300 A.D.

"The Cosmography of Ravenna" is a treatise on geographical science by a writer of that place, in the sixth or seventh century. It gives a long list of stations and camps in a sequence, which is rather difficult to unravel, while the orthography is, to say the least, barbarous and eccentric. But many names have been found in this list alone, whose genuineness has been proved by the discovery of lapidary inscriptions.

The "Itinerary" known as *Richard of Cirencester's*, edited by Bertram of Copenhagen, is only mentioned here to be dismissed as a pure fabrication.

From the first and second "Itinera" of Antoninus we learn that from Eboracum (*York*) a great road went north, which, after passing through Isurium, or Isubrigantium (*Aldborough*), and Cataractorium (*Catterick* in Yorkshire),

¹ *Archæological Journal*, vol. xxxvii., p. 318; "Roman Lancashire," p. 24.

split into two roads, an eastern and a western one. With the eastern one we have nothing to do, except for clearer comprehension to say that it ran to Vinovia (*Binchester*), where it divided into branches, of which the main one continued on by Vindomora (*Ebchester*) and Corstopitum (*Corbridge*), crossed the Wall of Hadrian, and passed on into Scotland. The western road went through Westmorland and Cumberland; and after leaving York, the stations and distances, as given in the "Itinerary" of Antoninus (*Iter II.*), are (put for convenience in reverse order) as follows :

Stations.		Roman Miles (more or less).	Modern Identifications.
EBORACUM	- - -	-	York.
ISURIUM	- - -	xvii.	Aldborough.
CATARACTO, or CATARACTORIUM	- - -	xxiv.	Catterick.
LAVATRÆ	- - -	xiii.	Bowes.
VERTERÆ	- - -	xiv.	Brough.
BROVONACÆ	- - -	xiii.	Brougham (some suggest Kirkbythore).
VOREDA	- - -	xiii.	Old Penrith, at Plumptre Wall.
LUGUVALLUM	- - -	xiv.	Carlisle.
CASTRA EXPLORATORUM	- - -	xii.	Netherby.
BLATUM BULGIUM	- - -	xii.	Middleby, near Birrenswark.

The same route is taken from York to Carlisle by *Iter V.* of Antoninus, as follows :

Stations.		Roman Miles (more or less).	Modern Identifications.
EBORACUM	- - -	-	York.
ISUBRIGANTUM	- - -	xvii.	Aldborough.
CATARACTO	- - -	xxiv.	Catterick.
LAVATRÆ	- - -	xviii.	Bowes.
VERTERÆ	- - -	xiii.	Brough.
BROCAVUM	- - -	xx.	Brougham.
LUGUVALLIUM	- - -	xxii.	Carlisle.

The remains of large and well-known Roman stations exist at the places whose names are given in the third

columns of the above tables, and the identifications given are those now generally received. The older writers used to put the *Brovonacæ* of the second *Iter* at Kirkbythore, but since it has been pointed out that the camp at Kirkbythore is not on the *Iter*, a general concurrence has been come to that the *Brovonacæ* of the second *Iter* and the *Brocavum* of the fifth are one and the same, and refer to the camp at Brougham. The first of these routes makes the distance from York to Carlisle 108 miles, and the second 104. This is accounted for by the distance between *Cataracto* and *Lavatra* being variously given as xviii. miles and xiii., clearly a scribe's error, and *Lavatra* and *Vertera* being variously given xiii. and xiv. miles, also a similar error. All antiquaries are now agreed in allocating the stations of the second *Iter* as we have given them. Indeed, no one doubts that Eboracum is York, and Bæda says expressly that Luguwallum, or Luguwallium, is Carlisle. Given these two fixed points, the rest of the stations between them follow as matter of course, and allocate themselves to the Roman camps, whose remains exist to this day at the places whose modern names we have given. This great *Iter* follows the natural passage from the great plain of York, over the pass of Stainmore, down the valley of the Eden, into the Cumberland plain, and thence to Carlisle. It is the western branch of the great road known afterwards as the Watling Street, and is given by Mr. Elton thus: "From Netherby and Carlisle, across Stainmore to York, across to Manchester and Chester, down to Wroxeter-on-Severn, and so to London and the Kentish coast, never leaving the Watling Street."¹ It coincides in the main with the famous North Road of coaching and posting days, and the modern line of railway pursues a parallel course over the pass and down the Eden Valley. At the time the "Notitia Imperii" was compiled, the commencement of

¹ "Origins of English History," p. 344, n.

the fourth century, the command of all the garrisons in the North of England and on Hadrian's Wall was held by the *Dux Britanniarum*, who resided at York, at which place many of the Emperors had held their court; York was, in fact, the capital of Northern Britain, and the road over the pass of Stainmore, through Westmorland, must have been of much strategic importance. That the Romans considered it so is proved by the forts which they deemed necessary for its protection. In addition to these, at the stations mentioned in the "Itinerary," smaller but well-placed forts occupy in Westmorland intermediate positions. Between Bowes in Yorkshire and Brough in Westmorland, the Maiden Castle, on Stainmore, occupies a commanding position; and the great camp at Rere Cross—British probably, to begin with—was also probably utilized by the Romans. General Roy, indeed, considers it to be Roman of an unusual form. Between Brough and Brougham a well-placed fort is on Copeland Beck, not far from Appleby, where that stream crosses the *Iter*. Between this fort and the station at Brougham is the large camp at Redlands, on what was once Crackenthorpe Common; while the important station of Kirkbythore is almost, if not actually, on the *Iter*. It must not, however, be assumed that all these camps, forts, or stations, or whatever writers may please to call them, are of the same date, or that they were all occupied simultaneously. On the contrary, some of them would be mere ruins, archæological curiosities, long ere the Romans built, or at any rate abandoned, the others. The wandering archæologist will find little difficulty in tracing the second *Iter* through Westmorland; if not actually under the existing roads, coach or rail, it is never very far from them.

The second *Iter* is crossed near Kirkbythore by another road, which, under the name of the "Maiden Way," runs north and south. Under that name it starts

from Overborough, or Burrow Hall, a station just within the county of Lancashire, and about two miles south of Kirkby Lonsdale, in Westmorland. This place is connected by Roman roads with Manchester, directly *viâ* Ribchester, indirectly *viâ* Lancaster and Wigan. The Maiden Way enters Westmorland near Kirkby Lonsdale, and continues up the east side of the valley of the Lune by Casterton, Barbon, and Grimeshill, crossing that river near the point at which it receives the stream of the Rother, and thence up the west side of the valley, and over the *hause* on the line of the modern road to the lonely camp of Low Borrowbridge. A Roman milestone stands in a plantation at Grimeshill, on which is the following:

M.P. LIII.
SOLO ERVTVM.
RESTITVIT
GVL. MOORE
AN. MDCCCXXXVI.

This stone was found buried within a couple of hundred yards of where it now stands, and the last four lines, commemorative of its re-erection, were the composition of the historian Dr. Lingard.¹ From Low Borrowbridge camp the road crosses the Borrow by a bridge, whose abutment still remains, and part of the grouting of the bridge still adheres to the rock of the foundation. It crosses the Lune twice, first at the foot of Jeffreys Mount, north of the modern bridge over the river, where a narrow lane leads to the ford, and, secondly, close to Castle How, at Tebay; thence it runs on the west of the village of Orton, over a depression in the range of Orton Fell, and over Crosby Ravensworth Fell, by Wicker Street Thorn to Kirkbythore.² North of this place it runs

¹ *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. vii., p. 85.

² Nicholson's "*Annals of Kendal*," pp. 381, 387, 388.

through the Cumberland parishes of Kirkland, Ousby, Melmerby, and Alston, until it enters an angle of Northumberland, where it meets the Roman Wall at the station of Magna (*Caervoran*). At this place this road turns westward, and, re-entering Cumberland, follows the Wall to the next station, Amboglanna (*Birdoswald*), where it turns to the north, and runs past the Roman station at Bewcastle into Scotland. This road probably takes its name, the "Maiden Way," from *Mai-dun*, the great ridge, having been raised two or three feet above the adjacent ground. Its gradients make it impossible for wheeled traffic, but gangs of packhorses probably conveyed along it the mineral wealth of Alston on its route to swell the tribute exacted by the Romans. Much of the Maiden Way can still be traced on the wild fells and grouse moors over which it goes; it passes two great camps, one at Whitley Castle, in Northumberland, but close to the borders of Cumberland, the other at Bewcastle, in the latter county. Both these camps were undoubtedly occupied by the Romans, but certain deviations from the usual plan and profile of Roman fortifications make it probable they were originally British.

Another Roman road enters Westmorland from the south, that connecting the station at Lancaster with the station near Kendal at Watercrock, in the small chapelry of Natland, called sometimes Watercrock, and sometimes Natland. This road passes through the township of Carnforth, in the parish of Warton, in Lancashire, near a place called Dock Acres Farm, on the north bank of the river Keer. Here are the remains of a very ancient dock, now two miles inland, but to whose sill the sea must have flowed in Roman times. Entering Westmorland, the road runs through the township of Hincaster, or Hencaster (the old camp)—a name that raises in the breast of an archæologist hopes of finding the site of a Roman station. In this he will be disappointed, no such

site is known; and Hincaster mounds, to which he will probably be conducted, are glacial moraines. Above Hincaster the road can be traced along various narrow lanes through part of the township of Stainton. Somewhere here it is joined by another Roman road coming from Overborough, and the two proceed together to the station at Watercrock, in Natland, about a mile south of Kendal.

Two roads from the south (from the south-east and south-west respectively) thus converge at Watercrock; two roads lead from it to the north—one, to the north-east, goes by the Spital, Laverock Bridge, Borrans Farm on the edge of Whinfell Tarn, and over Whinfell to Low Borrowbridge camp, on the Maiden Way.¹ The other road from Watercrock, that to the north-west, crosses the Kent by a ford below the foot of Mill Lane, and goes by Stane Bank Green and Boundary Bank to Cunswick Scar and Raderheath; thence to High Restane, in Staveley, where it bifurcates. The right-hand or northern branch proceeds along the edge of Ill Bell and Fros-wick to High Street, passes over High Street at an elevation of nearly 2,700 feet, over the neighbouring fells of Loadpot Hill, Swarth Fell, and Moor Divock, and joins the second *Iter* at the camp at Brougham. North of High Street a branch road breaks off to the west *viâ* Hartsop and Patterdale, along the west side of the upper reach of Ullswater, and then over Gowbarrow Fell to the camp at Whitbarrow, in Cumberland. Returning again to High Restane, and the bifurcation there, the left-hand or lower road runs by the place where Troutbeck Bridge now spans that brook, to the Roman camp at the head of Windermere, known sometimes as Waterhead, and sometimes as Ambleside camp or station.

¹ The Roman Road over Whinfell has been described in detail in the *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. vii., p. 90, by their honorary secretary, Mr. T. Wilson.

This camp is a centre from which many Roman roads radiate. These we shall now attempt to detail, taking the road (already described) from the Watercrock station as the first, and moving round the Windermere camp in a direction contrary to that of the hands of a watch. The second road is a short-cut from the Windermere camp to gain the High Street road to Brougham, without going round by Restane. It goes by Ambleside, up Stock Gill, by Woundale, into the head of the vale of Troutbeck, where it passes over "the Tongue," and up Froswick and the High Street, by the Scots Rake. On the shoulder of High Street the two roads from Watercrock and the Windermere camp unite and proceed to Brougham, as just related. The third road is somewhat doubtful—from Windermere station, by Kirkstone Pass, to Hartsop and Patterdale. It is possible the Romans contented themselves with going round by High Street, and then down to Hartsop by the branch from the High Street; however, the Messrs. Lysons, in their "*History of Cumberland*," p. cxxxvi., say the road was visible on Kirkstone Hill. An important road goes from Windermere camp, by Grasmere, over Dunmail Raise, to the station at Keswick, where many Roman roads concentrated, and thence to Old Carlisle, near Wigton, a place from which Roman roads radiate out like the spokes of a wheel. A fifth road from the Windermere camp goes over Wrynose by the "Three Shire Stones," and over Hardknott, past the mountain camp of that name, to the once large and important harbour of Ravenglass, in Cumberland. A branch from this road runs between Bow Fell and the Langdale Pikes to Keswick. The sixth and last road from Windermere camp runs down the west side of Windermere to Dalton-in-Furness.

If these roads are traced on a map of the county, and their continuations into Cumberland, Yorkshire and Lancashire shown, there will seem to be three or four

great lines of traffic and travel. There is the great road from York to Carlisle through the north-east of the county, undoubtedly the second *Iter*, and of great importance, as the line of communication with the military base at York, the metropolis of northern Romano-Britain. Then there is the Maiden Way running north and south through the county, unsuited, owing to its gradients, to wheeled traffic, but tapping the rich mineral district of Alston. A third great road runs from the south by Watercrock to Windermere, and then divides into two main branches, one of which, running north, taps the mineral districts of West and Central Cumberland, while the other leads to the port of Ravenglass in Cumberland, which traded, and probably largely, with Spain, the Mediterranean, and Ireland.¹

A perplexing question now arises, Is either of these last two roads, the Maiden Way or the Watercrock-Windermere road, the much-vexed tenth *Iter* of the "Itinerary" of Antoninus? Modern archæological speculation tends to identify the Maiden Way with the tenth *Iter*. The following table, compiled from Watkin's "Roman Lancashire," and from a paper by Mr. Gordon Hills in the *Journal, British Archæological Association*, vol. xxxvii., and from other sources, shows the variety of views that have been entertained :

¹ See the writer's "History of Cumberland," p. 74.

[illegible]

Roman Names and Distances.	The Rev. John Johnson, 1807. [†]	R. S. Ferguson, 1876. [†]	General Sir John Woodford. [‡]	Hoepell, 1878. [§]	Gordon M. Hills, 1881.	Cornelius Nicholson. [¶]
MEDIOLANO xviii.	Near Drayton	—	—	Malpas	—	—
CONDATE xviii.	Near Northwich	—	—	Northwich	—	—
MANCUNIO xvii.	Manchester 28	Manchester 28	Manchester 28	Manchester	Manchester 17	Manchester 28
COCCIO xx.	Ribchester 27	Ribchester 27	Ribchester 27	Stanceland	Wigan	Ribchester 27
BREMETONACIS xxvii.	Overborough 26	Overborough 13	Overborough 13	Castley	Ribbleson	Overborough 27
GALACUM	Ambleside 17	Kendal 13	Kendal 13	Romanby 18	Near Giggles- wich	Kirkby Thore [sic]
ALONE xix.	Keswick 11	Ambleside 17	Ambleside 14	Stainton 12	Ellers	Borrowbridge
GALAVA xviii.	Caermot 8	Keswick 19	Hardknott 9	Durham	Gallaber, near Tebay	Whitley Castle
GLANOVENTA	Old Carlisle	Old Carlisle	Ravenglass	South Shields	Penrith	On the Wall

* From "Poems written at Lanchester," by the Rev. John Hodgson, published at Newcastle, 1807.

† *Transactions, Cumberland and Westmorland Antiquarian Society*, vol. iii., p. 73.

‡ From manuscripts.

§ *Journal, British Archaeological Association*, vol. xxxvi., p. 47.

|| *Ibid.*, vol. xxxvii., p. 397.

¶ *Annals of Kendal*, p. 387.

The case for the Maiden Way being the tenth *Iter* mainly depends upon the identification of *Bremetonacum* with Ribchester and with the *Brematennacum* of the "Notitia," and rests on a fine inscribed altar, discovered in the sixteenth century at Ribchester, and erected by the Sarmatian cavalry, styled the *Bremetennacensian*.¹ The weak part of the case for the Maiden Way is that the Maiden Way does not go to Whitley Castle, though it passes near it; that it does not end at Whitley Castle, but continues past it; that Whitley Castle is not a likely place for a great *Iter* to end at; and that the gradients of the Maiden Way, too steep for wheeled traffic, render it unlikely to have been a great *Iter*. We owe to an idea that some day or other lapidary inscriptions will be found which will prove the tenth *Iter* to have ended at some great centre like Old Carlisle, or some great harbour like Ravenglass in Cumberland. Mr. Elton, indeed, gives the tenth *Iter* "From Mediolanum, a station north of Wroxeter, by Manchester and the West Coast, and *past the head of Windermere to Carlisle*," i.e., by Ambleside, Keswick, Caermot, and Old Carlisle to Carlisle.²

The names of two only of the Roman stations in Westmorland can be positively identified. From the second *Iter* we get: *VERTERÆ*, Brough, and *BRONACÆ*, Brougham; and the fifth *Iter* helps to a variant for the Roman name of Brougham in *BRONACUM*. Two others are usually and confidently given: *CONCANGIUM*, Watercrook (Kendal), and *DICTIS*, Windermere camp—which last has the authority of the Ordnance Map. The only authority for the first of these identifications is Camden's jingling guess that *CONCANGIUM* was Kendal, or, rather,

¹ See Watkin's "Roman Lancashire," p. 29; also a paper by Mr. Hodgson Hinde in the *Archæologia Æliana*, Old Series, vol. iv., p. 109.

² "Origins of English History," p. 344 n.

that the CAN in CONCANGIUM was the river Kent, a guess of which he repented, for in Bishop Gibson's edition of Camden's works, published in 1722, Camden himself says: "Once, indeed, I was of opinion that it, Watercrook, was the old Roman station, CONCANGIUM, but time has informed me better." The guess was on a par with Camden's guess that ABALLABA was Appleby; time has informed us that Appleby is not a Roman station, and, by aid of lapidary inscriptions, that ABALLABA is Papcastle, in West Cumberland. The identification of DICTIS with the Windermere camp rests on the fact that DICTIS follows CONCANGIUM in a list of Roman stations presently to be cited, and so stands or falls with the identification of CONCANGIUM. Similarity of sound, or jingle, is an *ignis fatuus* that has misled many, and the older antiquaries were too much given to rely upon such. Gordon first, and Horsley after him, laid down the true rule, viz., that the lists of stations in the "Notitia" run in geographical sequence, and that lapidary inscriptions supply the best evidence. Such inscriptions fail us in Westmorland even more than they do in Cumberland, west of AMBOGLANNA (Birdoswald).

The 63rd section of the "Notitia Imperii" gives the troops in Britain *Sub dispositione viri spectabilis Ducis Britanniarum*. Their stations are given in two divisions; first come twelve stations, and then, under the separate heading, *Item per lineam Valli*, come twenty-three stations, the first twelve of which are positively identified, and run in strict geographical sequence from east to west; the others have not yet been identified, but when they are they will probably turn out to be in geographical sequence. The stations on the Saxon shore of England, given in section 52 of the "Notitia," are also in geographical sequence. The conclusion is that the "Notitia" always gives military stations in geographical sequence, and not

anyhow. The twelve stations in the first division of section 63 are :

DANUM, identified by the "Itinerary" as Doncaster.

MORBIUM.

ARBEIA.

DICTIS.

CONCANGIUM.

LAVATRES, identified by the "Itinerary" as Bowes, in Yorkshire.

VENERÆ or VERTERÆ, identified by the "Itinerary" as Brough on Stainmore.

BRABONICUM, identified by the "Itinerary" as Brougham.

MAGLOUÆ.

MAGÆ.

LONGOVICUM.

DERVENTIO, identified by the "Itinerary" as New Malton, in Yorkshire.

Some people have made the wild guess that MORBIUM is Moresby, but the "Notitia" would hardly jump from Doncaster to West Cumberland at one bound, while lapidary inscriptions have proved that Moresby is CONGAVATA or GABROSENTIS.¹ Horsley identifies MORBIUM as Templeborough, in Yorkshire; and ARBEIA, DICTIS and CONCANGIUM, when found, will probably turn up in that county in geographical sequence between Doncaster and Bowes. The best opinion is that CONCANGIUM is at Greta Bridge, in Yorkshire, where, from the Roman road leading north from EBORACUM *viâ* Piercebridge, another Roman road turns off sharp to the west for LAVATRÆ (Bowes).² Of course, if CONCANGIUM is at Greta Bridge, DICTIS cannot be at the head of Windermere, but must be looked for in Yorkshire also.

¹ "History of Cumberland," p. 55.

² See further on this in *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. iii., p. 94.

The table given in this chapter of the various views as to the tenth *Iter* gives various suggestions for the identification of the Roman stations in Westmorland, such as GALACUM for Kirkbythore, for Appleby, for Kendal, for Ambleside (head of Windermere); ALONE for Ambleside and for Low Borrowbridge; and GALAVA for Kirkbythore. All these depend upon the determination of the tenth *Iter*, and the determination of the tenth *Iter* depends upon the determination of these stations, a vicious circle out of which the discovery of fresh lapidary inscriptions alone can get the student of Romano-British geography.

The reader by now must be familiar with the names, at least, of various places in Westmorland where remains of Roman camps and towns exist. We purpose now to go through them *seriatim*. We will endeavour to show the reader what is now in existence, and to bring before his mind some idea of what has vanished.

Coming from the south by the Maiden Way, the first camp or station the traveller would arrive at is the one at Low Borrowbridge, situated in a bleak and desolate region, at the junction of the rivulet Borrow with the fine stream of the Lune. The camp is rectangular, 130 Roman paces by 100, and occupies an area of nearly four acres. The north side of the camp is strongly protected by the Borrow, as is the east by the precipitous cliff over the Lune. The southern wall of the camp was removed in 1827 down to the very foundations, in order that the materials might be used in building the inn which stands hard by. The western wall was plundered for the building of cottages when the London and North-Western Railway was constructed. In 1883 a careful examination of the camp was made by a committee of the Cumberland and Westmorland Antiquarian and Archæological Society, and the spade was used freely. The eastern and western gates were uncovered and planned, and the interior of the camp trenched. Little was found; the plough has been

frequently over the interior and has smashed everything into utter confusion. The walls were of the local Silurian stone, untractable under the chisel, and the angles had been made up with freestone, imported from a distance, and again carried off for building material. The walls showed signs of repair at different dates. Nothing was found to show any trace of luxury, and the conclusion was come to that the camp was garrisoned but occasionally, and by a very small force. The walls of a building and a pavement of bright red concrete were found in the garden of the inn, and were probably the remains of the villa of the commanding officer.¹ There are no other suburbs, and no inscriptions have occurred here.

The next station or camp on the Maiden Way, north of Low Borrowbridge, and also in Westmorland, is that of Kirkbythore, which in wealth, in the amenities of its situation, and in its climate, must have been in remarkable and favourable contrast. It is situated at a place called the Burwens, on a knoll or eminence, having the rivulet of Troutbeck flowing in front of it on the east side, a morass on the south, and precipitous ground on the north. The houses of the village lie to the north and to the south of the camp, and the road connecting them runs through it. Inside the camp was once a mediæval castle, called Whelp Castle, which may have been the *prætorium* of the Roman general altered and transformed; nothing now remains of it, but it stood in the south-west angle of the camp; its existence there is probably the reason that the houses of the village have been kept clear of the interior of the camp. The camp and its vicinity have yielded at various times great finds of antiquities; the well-known local antiquary Machell, Vicar of Kirkbythore, made excavations in the years 1684-7 in the camp

¹ For this camp see *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. vii., pp. 78, 90; vol. viii., p. 1; *British Archaeological Journal*, vol. viii., pp. 35, 40-43.

and its vicinity, and found foundations of buildings, vaults (i.e., hypocausts), urns, leaden pipes, etc., and an altar inscribed FORTVNÆ SERVATRICI, of some of which he communicated an account to the Royal Society.¹ In the year 1838 the overturning of a mail coach on the bridge over the Troutbeck at Kirkbythore occasioned its rebuilding, and on removing the foundations of the old structure a compact mass of concrete was found. In this were embedded coins, idols, implements, fibulæ, amulets, rings, pins, brooches, and other ornaments in surprising numbers, so as to give the idea that they were the contents of a magazine of those articles, or even of an artisan's workshop. The coins covered the period from Vespasian to Alexander Severus, a period of about 150 years, and include interesting middle-brass Britannias of Hadrian and Antoninus Pius.² An altar was found at Kirkbythore in 1739 dedicated to the Egyptian goddess Serapis; one has also been found dedicated to the local north-country god Belatucader; other sculptured stones prove that the Mithraic cult had its votaries here. The Kirkbythore camp is sometimes called Whelp Castle, and sometimes High Burwens; it is often said to be on the Roman road from York to Carlisle—the second *Iter*; that is not so; it is a little to the north, and on the Maiden Way, which crosses the *Iter* hereabouts. Unlike the Low Borrow-bridge camp, it has extensive suburbs. The stone of which the camp was built was got from quarries on the Crawdundle Beck at no great distance, where were inscriptions on the rock similar to those on the Gelt in Cumberland;

¹ *Philosophical Transactions*, No. 158.

² An account of this find, by Admiral Smyth, Dir. S.A., is in *Archæologia*, vol. xxxi., p. 279. The bulk of the find was distributed between Sir George Musgrave, Mr. Crosby of Kirkbythore, and Miss Atkinson of Temple Sowerby; the rest were carried off by the labourers. We believe that Sir George gave his share to the British Museum; and Mr. Cumpston, of Barton Hall, Penrith, and Captain Markham of Morland, now have collections of the antiquities found at Kirkbythore.

they recorded the names of officers of the 2nd and 20th Legions, who commanded working parties at the quarries. Thus much for the camps of the Romans on that portion of the Maiden Way that is in Westmorland.

On the Westmorland portion of the second *Iter* several Roman camps are situate; but it must not be too hastily concluded that they are all of the same date, or that they were all in occupation at the same time. On the contrary, the military engineers who laid out the Brougham and Brough camps probably looked upon the camp at Redlands much as the Royal Engineers of the present day do on a block house of Henry VIII. or on a martello tower of the last century.

Beginning from Cumberland, we have the camp at Brougham, situated on the right bank of the river Eamont, just below the point at which it is joined from the south by the Lowther, so that the combined stream covers the camp on its north, as do the two rivers and the marshy ground between on the west. The second *Iter* skirts the north-eastern front of the camp, and crosses the Eamont by a *trajectus*, or ford, which this camp commanded. The camp is contained within a single bank and exterior ditch, and along the scarp, or inner slope of the ditch, are traces of a step or terrace, as for a line of palisades in front of and below the main defence. The area of the camp within the ditch, which is 25 yards broad, is 198 yards by 113.¹ This camp, though of great military importance, as commanding the passage of the Eamont, and the junction of the second *Iter* with the road from the south over High Street, has not yielded many inscribed stones, and those that it has yielded are not of any great importance—a couple of altars to the local god Belatucader, and four or five fragments of tombstones.

Proceeding eastwards from Brougham, the traveller will find by the roadside, about half a mile south of Temple

¹ Clarke's "Mediæval Military Architecture," vol. i., p. 294.

Sowerby, and obscured by furze, a Roman milestone, still standing on its original site. It is $4\frac{1}{2}$ feet in height, and $1\frac{1}{2}$ feet in diameter. Time has weathered away the inscription, as it has done on the one still *in situ* at Chesterholm, in Northumberland.¹ A little further to the south-east, the traveller comes to the bridge over the Troutbeck, rebuilt in 1838, and to the camp at Kirkbythore, which has already been dealt with. This camp is on the Maiden Way, and not on the second *Iter*; but it is so near to the *Iter* as to command it.

Proceeding along the *Iter*, which from Kirkbythore railway-station is either under the modern road or the railway, we come to the camp now known as Redlands Camp, near Pows, or Powis, House. The site is on what was formerly Crackenthorpe Common. A plan of this remarkable camp is given in General Roy's magnificent work "The Military Antiquities of the Romans in Britain," plate xvii. It was surveyed by General Roy in 1769 (*ibid.*, p. 73), and a comparison between its condition when surveyed and its condition at present will show the devastation wrought among antiquities of this class by the enclosure of the commons, and the cultivation consequent thereon. The camp is now nearly ploughed out and obliterated. General Roy includes in one class the great temporary camps at Kreiginthorpe (Crackenthorpe), Raycross on Stainmore, and Birrenswark. In their dimensions, the multiplicity of their gates, and other principal points, they agree so much that it is evident they are all three the work of one and the same legion. As in all their parts they differ from the camps assigned to Agricola, they must therefore belong to the 6th Legion, which did not arrive in Britain until the time of Hadrian. By that time most of Agricola's conquests in Scotland had been lost, and Roy suggests that these three camps mark the halting-places of the reconquering expedition, as the

¹ *Lapidarium Septentrionale*, p. 386.

6th Legion marched from York. General Roy says of this camp :

The first of these is situated on Kreiginthorpe Common between Kirkbythore and Appleby, near a place called Pows-House on the west side of the Roman Way.¹ It is a square of about three hundred yards, with just such another intrenchment, with regard to profile, as those at Birrenswark. In the east side, or that nearest the Roman Way, there are no fewer than four gates—two are visible in what remains of the south side, two in the west, and only one in that towards the north. They have, to appearances, all been covered with traverses : one half of that before the north gate is levelled by the present turnpike road, which there enters, and crosses the camp obliquely. . . . These camps (*i.e.* Kreiginthorpe and Ray Cross) being the same in dimensions and other principal points with the two united at Birrenswark,² which seem only to have been separated that the Romans might be better able to secure possession of that remarkable hill, and all differing from those which we have shown to be Agricola's, it is natural to conclude not only that they were occupied by the very same legion, but that this was probably the sixth, whose stated quarters were at York.³

This camp was only occupied as a temporary camp, and has yielded no inscriptions. The modern road runs diagonally through it ; the *Iter* passes to its north-east, and may be traced for a long distance as a grass-grown lane.

A small but interesting and little-known Roman fort is situated about half-way between Redlands and Brough-on-Stainmore, where the Copeland Beck crosses the Roman and the modern roads, one being on either side of the camp. There is a large British camp at Espland, on the moors, about a mile from the Roman camp, which was clearly intended to check a rush down the defile

¹ The railway now runs on the site of the Roman Way, between the camp and Pows-House, which time or the Ordnance Surveyors have improved into Powis House.

² Kreiginthorpe and Ray Cross camps are each 300 yards by 300 yards : one of those at Birrenswark is 300 by 200, and the other 300 by 100.

³ Roy's "Military Antiquities of the Romans in Britain," pp. 73, 74.

through which the Copeland Beck runs.¹ A level area near the camp was probably a parade, or a camping-ground for troops on the march.

There is at Church Brough, in the parish of Brough-under-Stainmore, a large rectangular Roman camp, similar in size and position to the one at Brougham. The camp stands a little off the Roman road, and is on the left bank of the Swimdale, or Helle Beck, just below where it receives the Augill. Until recently no inscriptions had been found, but during the restoration of the church in 1879 two were discovered. One is imperfect, but mentions Septimius Severus, who was Emperor A.D. 193 to A.D. 211. The other is a slab of coarse-grained carboniferous sandstone, 23 inches in length and 12½ inches in width. It bears an inscription in twelve lines, in parts somewhat damaged. The writing was considered by local antiquaries to be Runic, and a cast was sent to Professor Stephens, of Copenhagen, who doubted the Runic character of the inscription, and submitted it to his colleague, the Professor of Greek: he, after a fortnight's examination, gave it as his opinion that it was in no classical language or alphabet. It was submitted to the highest epigraphical authorities in Germany, who failed to decipher it. Professor Stephens then attempted to read it as a Runic inscription, and dealt with it as such in the third volume of his "Runic Monuments." He pronounced it to contain unique forms of the Runic letters, the language being a peculiar Anglian dialect, otherwise unknown. His translation, a wonderful *tour de force*, consisting, however, largely of

¹ This British camp is one of much interest, having never been touched by the plough. It is oval in shape, with a greater axis of eighty yards in length, and a lesser of sixty. It is protected by a ditch and rampart, and a ravine runs round it on three sides, leaving an entrance on the north-west side. Two similar camps exist near Appleby, much ruined by the plough.

strange proper names, made the inscription to be in memory of an early English martyr. On the publication of Professor Stephens' engraving, several scholars, including Professor Sayce, Professor Browne, and Mr. Isaac Taylor, came independently to the conclusion that the inscription was not in Runes, but in uncial Greek characters. After months of eager discussion the inscription was satisfactorily deciphered. It proved to consist of five very fair Greek hexameters, perpetuating the memory of one Hermes, of Commagene, a Syrian youth who, at the age of sixteen, lost either his life or his liberty in an expedition against the Cimmerians—an expedition which may very possibly be identified with the Caledonian campaign of Septimius Severus in A.D. 209. The following reading and translation is by Professor E. C. Clark, F.S.A. :

Εκδεχεται τις ιδων τυμβω σκεφθεντ υπο μοιρης
Ερμην κομμαγηνον, επος φραστω τις οδαιτης,
χαιρα συ και παρ εμου κηνηερ θνητον βιον ερπης,
ωκυτατ εππης γαρ μεροπων επι Κιμμεριων γην,
κου ψευσει, αυτω γαρ ο παις Ερμη ακολουθει.

Hermes of Commagene here—
Young Hermes in his sixteenth year
Entombed by fate before his day,
Beholding, let the traveller say :—
Fair youth, my greeting to thy shrine,
Though but a mortal cause be thine,
Since all too soon thou wingd'st thy flight
From realms of speed to realm of night :
Yet no misnomer art thou shown,
Since Hermes is with Hermes flown.

Or Who with thy namesake god art flown.¹

Another inscription should be mentioned here, as it is

¹ *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. v., p. 291 ; vol. viii., pp. 171, 205 ; "Old Northern Runic Monuments of Scandinavia and England," vol. iii. ; *Athenæum* newspaper, No. 22, 1884 ; *Cambridge University Reporter*, 1885, n. 575. p. 498.

still locally believed in—a little figure, said to have been found at Blackmoorgate, near Brough, on which is inscribed :

DEO : ARVALO
SATVRNO
SEX
COMMODUS
VALER
VSLM.

This is an undoubted forgery, and has been traced to its ingenious fabricator.

But if inscriptions have been few in number at Brough-under-Stainmore, an extraordinary number of leaden seals have been found there. Similar ones have been found at Chesters, *Bremenium*, South Shields, Felixstowe, etc., and also on the continent. At Mainz, for instance, they are stamped with various letters and marks, and are supposed to have been *signacula*, for hanging round the necks of recruits, of whom there is said to have been a depot here. Another idea is that they were seals to be put on luggage, either by custom-house officers or by merchants. A comparison between the Brough examples and those in continental museums might solve the problem.

The second *Iter*, after Brough, passes over the top of that "great and terrible mountain Stainmore," as a local M.P. *tempore* Charles II. called it. The modern road takes a lower level, and the traveller thereon will see high above him the clean-cut profile of Maiden Castle, a small quadrangular Roman fort, through which the *Iter* passes. A few of the lower courses of masonry are still *in situ*, and a few, very few, Roman coins have been found here. It commands the ascent and descent between Brough and the summit of the pass.

The great camp at Rerecross, Raycross or Reycross, stands upon the boundary between Westmorland and Yorkshire, and is included by General Roy in the same

class with the camp at Redlands and those at Birrenswark, all three of which he attributes to the 6th Legion, which did not arrive in England until the time of Hadrian. The General's account of Rerecross camp is as follows :

The second (Rerecross) is situated at Rey-cross, on Stainmore, between Brough and Bowes, eighteen miles distant from the former (*i.e.* Redlands Camp). It is likewise three hundred yards square, with an intrenchment of similar strength. Two gates on the west side are entire, and covered with tumuli. The Roman way leading to Bowes, which is likewise the present turnpike road, hath entered by another gate on that side, and issued by one opposite to it, neither of which could, of course, have any cover. On the north side three gates, with their tumuli, can be traced—two to the east, and two on the south, overlooking the steep bank of the river Greta. Rey-cross stands within the camp, by the edge of the road, and seems to have been a Roman milestone, having a fine square tumulus facing it on the opposite side of the way.¹

The general idea now is that the Rere or Reycross was a boundary mark, first between the kingdoms of Scotland and England, and afterwards between the counties of Westmorland and Yorkshire ; a few years ago the shaft of the cross was loose in its socket, and was frequently displaced by idle persons. In the year of the Queen's Jubilee, 1887, it was secured and railed in at the joint expense of the Yorkshire Archaeological and Topographical Society and the Cumberland and Westmorland Antiquarian and Archaeological Society. A portion of a Roman milestone, on which is COH. V., is, or was, at the Spital-house near the camp. Doubts have been raised by Mr. MacLauchlan as to whether Rerecross camp is Roman, and he points out that it has more the character of a British entrenchment ; for, though nearly a square, it has not the symmetrical form of a Roman camp : the east and west sides are not parallel by ten degrees, and the numerous gates are difficult to

¹ Kny's "*Military Antiquaries of the Romans in Britain*," p. 74.

explain.¹ British or Roman, the Romans would utilize it; and we have pointed out that the road over the pass of Stainmore was a British track before it was a Roman road. That track, or road, here passes into Yorkshire, and we are no way concerned to follow it. The many camps and forts that it passes near in going through Westmorland accentuate our remarks about its importance as a military road.

The station at Watercrock, in Natland, to which four roads converge, is rectangular, and about five acres in extent; it is nearly surrounded by a loop of the river Kent. Little has been found here: a few coins and urns, and one or two inscribed stones. One of these is a monument erected to Publius Bassus, an officer of the 20th Legion, and is remarkable for imposing a fine on anyone intruding another corpse into his grave. A note in a pocket-book of Nicolson, Bishop of Carlisle, 1702-1718, says this stone was found in 1688; it is now in the Kendal Museum. Machell visited this camp about the same date, and records a hypocaust; also "in the ruins were reservoirs for water, made with cement, and a semicircular course of vacuities, like ovens, divided by thin bricks." Similar vacuities have recently been found at Chesters, in Northumberland, and are conjectured to be places for bathers to deposit their clothes in.

The camp at Windermere, or Ambleside, is situated close to the head of Windermere, and is rectangular, and about four acres in extent. It is now almost obliterated, but according to Sir Daniel Fleming, who wrote in 1671, it then presented a great show of ruins of walls and buildings. Thomas Braithwaite, of Ambleside, in 1674 gave to the University of Oxford a collection of Roman coins found here; and urns, vials and miscellaneous antiquities are on record as having occurred, but no

¹ *Archæological Journal*, vol. vi., p. 350.

inscriptions beyond mere fragments. The freestone of which this camp is built is said to come from Dalton-in-Furness, and we believe it was water-borne from the sea up the lake. There are said to be traces of a Roman villa on Curwen's, or Belle, Island. One or two writers speak of a second camp at Borran's Ring, Ambleside, but there would appear to have been only one—that at the head of the lake, to which six roads have been shown to converge.

Various earthworks exist in the county which have been said by one writer or another to be Roman, but which would rather appear to be British. A camp called Castlesteads, on the top of Helm, near Kendal, has been supposed to be Roman, but plan, profile and position all point to its being British originally, though the Romans would certainly occupy it, as it commands a most extensive view. The same may be said of a fort or encampment called Coneybeds on Hay Fell, near Kendal.





CHAPTER IV.

STRATHCLYDE—CUMBRIA—THE LAND OF CARLISLE.

THE Roman stations in Westmorland, as enumerated in our last chapter, were but few in number and unimportant compared with those in the sister county of Cumberland. They covered no frontier, like the stations on the line of Hadrian's Barrier; they protected no harbours, like those that studded the Cumbrian coast of the Solway. Their duty was to guard the lines of communication between these frontier posts and ports, and the military basis of operations, whether that basis was at Chester, as in the early days of the Roman dominion, or at York, as in the later days. Brough, Brougham and Kirkbythore, and perhaps Windermere and Watercrock, alone appear of the rank of the stations *per lineam Valli*; and yet no one of these, not even Kirkbythore, can compare with Birdoswald, Old Carlisle, or Ellenborough, in the yield of sculptured and inscribed stones, and miscellaneous antiquities, that any one of these three has given up. Westmorland has no town like Roman Luguwallium (Carlisle), the seat of considerable wealth and luxury, whose site to this day is replete with archæological surprises, when and wherever the spade is put into it, and whose principal cemetery of Roman date extends a measured mile along the present London road. The numerous Roman garrisons of Cumberland, and the

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~~remains~~ population of their suburbs, have left no visible ~~mark on~~ the character or physique of the peasantry of ~~Westmorland~~, and we need not delay to search for any ~~trace of~~ Westmorland.

~~The~~ was the fate of these garrisons, military ~~units~~ rather than marching regiments, whether with- ~~drawn or~~ mass on the evacuation of Britain by the ~~Romans~~. or left to dwindle away for want of recruits, ~~they were~~ no protection to the hapless Britons, who were ~~assailed by~~ foes on every side, by Picts and Scots from ~~the north~~, Galloway and the West of Scotland, and by ~~Romans~~ on their eastern and southern shores. Now, under ~~the name of~~ Saxon the Roman included three piratical ~~tribes~~ tribes dwelling in what we now know as Sleswick ~~namely~~ the Jutes, to north of the present Jutland; the ~~English~~ of English proper, just below them; and the ~~Romans~~ on the Elbe. These, as the nearest, were the ~~best known~~ to the Romans, who used that name to cover ~~the whole~~ three. The three leagued tribes called them- ~~selves~~ Englishmen, and they called the people whom they ~~found~~ in Britain Wealas, or Welsh—that is, strangers— ~~and we shall use~~ Britons and Welsh as meaning the same ~~thing~~.

English history begins about forty years after the ~~evacuation~~ of the island by the Romans, with the landing ~~in A.D. 440~~ of the English pirates Hengist and Horsa. ~~By the end of the sixth century the English Conquest¹~~ ~~had resulted in the formation of seven Teutonic, or~~ ~~English, kingdoms, among a mass of small and obscure~~ ~~principalities.~~ These were:

¹ A condensed but clear account of the English Conquest is in "A ~~short~~ History of the English People," by J. R. Green: the details are ~~worked out~~ by Dr. Guest in his "Origines Celticæ." In his com- ~~panion~~ "History of Cumberland," the present writer has gone more ~~fully into the English Conquest than here, in order to elucidate the~~ ~~history of the "Land of Carlisle."~~

1. Kent, a Jutish kingdom.
2. Essex
3. Sussex } All Saxon.
4. Wessex }
5. East Anglia }
6. Northumbria } All Anglian.
7. Mercia }

Northumbria included the kingdoms of Bernicia and Deira, whose march or dividing limit was the forest land between Tyne and Tees. These two kingdoms were constantly at war, until they were united under Æthelfrith.

In the western and more mountainous parts of the islands the Britons, or Welsh, held their ground. There was a Welsh kingdom of West Wales, which took in Cornwall, Devon, and a part of Somerset, the country south of the river Axe. All the land west of the Severn formed a second Welsh kingdom, North Wales, including what is now called North and South Wales. To the north was a third Welsh kingdom, that of Strathclyde, which took in Galloway and the rest of the south-west of Scotland, together with modern Cumberland, Westmorland and Lancashire, all down to the river Dee, the southern boundary of Strathclyde, as the river Clyde was the northern. At any rate, these were the boundaries between the Northumbrians and the Welsh prior to the battle of Chester in 607, when Æthelfrith of Northumbria drove a wedge of English territory between the Welsh kingdoms of Strathclyde and North Wales. Strathclyde was separated from Northumbria, which extended from the Forth to the Humber, by the range of mountains running down the centre of the country, the great Pennine Range. The battle of Chester marks the conclusion of the conquest of England. So far as that conquest extended, it was a dispossession: the language of the Britons disappeared, as did their Christianity; for during the latter part of the Roman rule in Britain the Christian Church comprised, in name at least, every country save Germany.

in Western Europe, as far as Ireland itself. The irruption of the heathen English worshippers of Woden and of Thor drove a great wedge of paganism into the Christian Church, and split it into two.

To the question of what was going on in this kingdom of Strathclyde during the English Conquest, we can but answer we do not know. Some have associated Carlisle with King Arthur and with Merlin, but modern critical acumen has either abolished King Arthur and his court *in toto*,¹ or reduced him to a simple Welsh Prince of Somersetshire, who fought bravely against the English, and sometimes defeated them. The Arthurian legend was common to all the Welsh kingdoms, and though many place-names round Carlisle record its local prevalence, none do so in Westmorland beyond King Arthur's Round Table, where his knights were wont, so 'tis said, to tilt. Legend asserts that Uther Pendragon, the father of King Arthur, had his residence in Mallerstang, near the river, where heavy earthworks denote something earlier than the small Norman keep now in ruins.

Doubts have been raised as to what is the name of this last retreat of the Romanized Britons before the English advance; for though Mr. Freeman puts it roughly that Strathclyde extended from the Clyde to the Dee, yet he himself, Mr. Burton, Mr. Green and Mr. Hodgson-Hinde give it a narrower signification,² Mr. Burton defining it as the present shires of Ayr, Renfrew, Lanark, Stirling and Dumbarton. The solution of this puzzle seems to be that the English Conquest left to the Britons, or Welsh, a territory extending from the Clyde to the Dee, consisting of petty states under different rulers, of whom first one and then the other exercised an ill-defined and shadowy supremacy over the rest. Sir Francis Palgrave names

¹ Burton's "History of Scotland," vol. i., p. 174.

² Burton's "History of Scotland," vol. i., p. 183; Green's "History of the English People," p. 15; *Archæological Journal*, vol. xvi., p. 221.

the chief of these petty states as follows: first, Reged—perhaps in the forests of the South of Scotland; second, Strathclyde, which may perhaps be placed in Clydesdale—strictly speaking, the name should be confined to that region, but it was early extended beyond its proper boundary; third, Cumbria, which included the modern county of Cumberland, together with its appendages, or dismemberments, of Lancashire and Westmorland. We should not like to attempt to define its southern limits. There are many lines of natural defence between the Dee and the Derwent, which appear to have been in succession held against foes advancing from the south. Nor must we be understood as suggesting that the name of Cumbria was in existence quite so early as the time we are now dealing with. Returning back to Reged, Dr. Guest places this state in North Lancashire, the district stretching from the Ribble to the fells of Westmorland.¹ It is possible there was more than one Reged.

On the abandonment or evacuation of Britain by the Romans, the shadowy supremacy we have mentioned naturally remained with the Romanized rulers of Lugu-vallium. Rhydere, or Roderic the Magnificent, is said to have been head of a Christian party there, and to have been opposed by a pagan party, headed by a native Briton called Gwendolow, descended from one Coil Hen, or the Aged, while Rhydere had some Roman blood in his veins. A great battle was fought between these contending parties in 573 at Ardderyd, or Arthuret, a place about nine miles north of Carlisle. Rhydere was victorious, and became head of the Cumbrian Britons, reigning at Alclyde, or Dumbarton, from which his kingdom came to be called Strathclyde. Lugu-vallium thus fell from the dignity of a local capital into comparative insignificance.

The people who dwelt in this district were called Cumbri. Those of them who dwelt in modern Westmor-

¹ "Origines Celticæ," vol. ii., p. 51.

land were probably long left to themselves, and have no history. Mr. Hodgson-Hinde considers that Æthelfrith, the victor at Chester in 607, colonized or made tributary to himself the petty states of the Cumbri, south of Strathclyde proper, as shown by the place-names, a subject hereafter to be dealt with. Ecgfrith, King of Northumbria, who reigned from 670 to 685, destroyed the last semblance of domestic government in all the petty states of the Cumbri, except in Strathclyde proper. Indeed, owing to the subjection by tribute or otherwise of the petty states of the Cumbri to Northumberland, that term is frequently used as reaching from the eastern to the western sea, and as including modern Cumberland and Westmorland, of which the southern portions, at least, were reckoned as belonging to the Deiran, or Yorkshire, province of Northumbria, which after the battle of Chester stretched from sea to sea; and the southern portions of Westmorland and Cumberland became thus early Anglicized and part of the English kingdom, and their history that of England. The northern portions of Westmorland and Cumberland did not fall so thoroughly to the Bernician province of Northumbria; the western limit of that Northumbrian province, if for awhile it reached the sea, soon again receded. Mr. Burton writes :

Of these territories it can only be said, that at this period, and for long afterwards, they formed the theatre of miscellaneous confused conflicts, in which the Saxons, the Scots, and the Norsemen in turn partake. Over and over again, we hear that the district is swept by the Saxon King's armies, but it did not become a part of England until after the Norman Conquest.¹

The history of Westmorland, from the battle of Chester, in 607, is thus, like that of Cumberland, split into two; the southern portion of Westmorland was actually English

¹ Burton's "History of Scotland," vol. i., p. 363.

ground, and part of the kingdom of England, while the northern was British, or Welsh.

Whether the boundary line between the Bernician and Deiran provinces ran up the Duddon or the Derwent does not concern us; in Westmorland it ran along the spur from the mountains of modern Cumberland that runs across modern Westmorland below Ullswater to the upper valley of the Eden, a boundary which, prolonged through modern Cumberland down the river Derwent to the sea, was the southern boundary, until 1856, of the diocese of Carlisle, and, until 1884, of the archdeaconry of that name.

The history of the conversion of Northumbria to Christianity, and the struggle between the Celtic and Roman Churches for the North of England, belongs to the history of Northumbria, and we refrain from entering upon it. After the victory in 664, at the Synod of Whitby, of the Roman Church, that Church in 668 sent to Britain a Greek monk, Theodore of Tarsus, who, as Archbishop of Canterbury, was accepted as metropolitan, and who reorganized the English bishoprics into sixteen, all subordinate to Canterbury.¹ The Deiran or southern portions of the two counties naturally became part of the diocese of York, being included in the archdeaconry of Richmond. It is anticipating to say that these portions remained part of the diocese of York until Henry VIII. created the bishopric of Chester.

The Bernician or northern portions of the two counties are said to have first received Christianity, in the fourth century, from St. Ninian, a British Bishop, who built a church of stone and founded a bishopric at Whithern, in Galloway, or Candida Casa. From Galloway St. Ninian probably visited the opposite coast of the Solway, and

¹ This arrangement was soon modified, so as to allow York its old title of an archbishopric, with the allegiance of three suffragans—Hexham, Lindisfarne, and Whithern.

preached and baptized, perhaps on his return from Rome, at Brougham, in Westmorland, where was erected afterwards, in commemoration of the saint's visit, a church dedicated to St. Ninian. St. Mungo, or Kentigern, the Glasgow Bishop and patron saint, whose preachings in the Bernician portion of modern Cumberland are recorded by eight dedications of churches, does not appear to have visited either the Bernician or Deiran portion of Westmorland, as no churches there are dedicated to him.

Ecgrith, of Northumbria, who reigned 670 to 685, destroyed the last semblance of domestic government in the Bernician portions of the two counties, and incorporated them with Northumbria, colonizing them with Englishmen and making them English ground, though not yet part of the English kingdom. Ecgrith also bestowed the ecclesiastical jurisdiction over the conquered country upon the see of Lindisfarne, and St. Cuthbert at once visited Lugubalia, or Luel (Carlisle). The sees of Hexham and Lindisfarne were shortly afterwards united with the episcopal seat at Lindisfarne, whence it was removed first to Chester-le-Street, and thence to Durham, which diocese thus represents the kingdom of Bernicia, as York does that of Deira. The district afterwards known as the county of Westmorland was thus divided between these two sees, as was also the district afterwards known as Cumberland.

On the dismemberment of Northumbria by the Danes in the ninth century, Deira became part of the Danislagh, or that portion of England which was actually occupied by and governed by Danes. Bernicia still remained occupied by Englishmen, and, though subject to the Danes, was yet ruled by Englishmen, styled first kings and then dukes. But Bernicia had shrivelled up to part only of itself, the modern county of Northumberland the Lothians had adhered to Scotland, and the Bernician portion of modern Westmorland

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Cumberland, and the land or district of Carlisle, as they came to be called, had gone adrift. They turn up as united with Strathclyde (Strathclyde in the restricted sense) and Galloway, under the name of the kingdom of Cumbria. This was brought about by the voluntary submission of the inhabitants to Gregory the Great, or Grig, King of Scotland, to escape the ravages of Halfdene, the Danish leader, who in 876 occupied Deira, or the modern Yorkshire, and of Guthrun, his successor.

Gregory, or Grig, was succeeded in 893 on the Scottish throne by Donal IV., contemporary with whom was another Donal, of Strathclyde. Donal IV. died in 904, and was succeeded by Constantine III., who, again, on the death of Donal of Strathclyde, got his own brother Donal put on that throne. This Donal the Second of Strathclyde was succeeded by Eugenius, or Owen, who invariably is called by English and Scottish historians King of Cumbria. Thus the kingdom of Cumbria was formed by the union of Strathclyde, Galloway and the land of Carlisle (which last is the Bernician or northern portion of modern Westmorland and Cumberland).

The great English King Ælfred, King of Wessex, whose gallant struggle with Guthrun, the Danish King, belongs rather to a general history of England than to a local one, died in 901, and was succeeded by his son Eadward the Elder and his daughter Æthelflæda, Lady of the Mercians and conqueror of Danish Mercia. She died in 918, and Eadward the Elder added her dominions to his own, and undertook the systematic reduction of the Danislagh, as the district occupied by the Danes was called. After great success he had seized Manchester, when suddenly the whole of the North laid itself at his feet. Not merely Northumbria, but the Scots and Britons of Strathclyde, chose him to father and lord—the words are “Fædor” and “Hlaforde”—a national transaction, which Mr. Freeman calls “The Commendation of Scotland and



Strathclyde," using Strathclyde in the larger sense. The Welsh had done so a little before. By this Act of Commendation Northumberland, Wales, Scotland and Strathclyde became vassals of the West Saxon monarch, and to this act Mr. Freeman traces, and by it defends, the right, after the Norman Conquest, of Edward I. to demand homage from the Scots and Welsh.¹ Practically, at the time the Commendation was valueless. It was made in 924, and Eadward died in the following year, when the North at once broke out. Æthelstan, his son, the new West Saxon monarch, expelled from Northumberland Guthred, son of Sitric, the Danish King. Guthred fled to the Court of Constantine of Scotland, and from him and from Donal of Strathclyde he received assistance. Æthelstan marched against these two, who met him at Dacre, near Ullswater, and there agreed to his terms. For breaking the peace of Dacre Æthelstan severely punished Constantine and his kingdom in 933-34. Three years later a huge confederacy was formed against Æthelstan by the Danes, both of Northumberland and of Ireland, by Constantine of Scotland and by Eugenius, or Owen, the King of Cumbria, and their Scots and Welsh. At the great battle of Bruanburgh, whose site is unknown, Æthelstan was victorious, and Constantine lost his son. Eugenius, or Owen, probably fell in this fight, as we hear no more of him. This was in 937.

In 945 we find Dunmail King of Cumbria. He had by some means or other fallen under the displeasure of Eadmund the Magnificent, who, in the words of the Saxon Chronicle, "wasted all Cumbria, and gave it to Malcolm I., King of Scots and successor of Constantine, on the condition that he should *be his ally by land and sea.*" The decisive battle is said to have taken place near a well-known site, on the border between Westmor-

¹ See "Old English History," p. 154; and "History of Scotland," vol. i., p. 359.

land and Cumberland, which still preserves the name of Dunmail Raise; and it is further added that Dunmail fell on this occasion, in confirmation of which a cairn is pointed out which is said to have been erected to his memory. The tradition is unconfirmed, and on other grounds it is probable that Dunmail escaped and went to Rome.¹

Scotch writers have endeavoured to limit the country thus handed over to Malcolm as a fief from the English Crown to the Bernician or northern portions of modern Westmorland and Cumberland, but Mr. Freeman makes it include all to the Frith of Clyde, which is more likely. By virtue of the Commendation of 925, King Dunmail was vassal to King Eadmond; he revolted against his Overlord, who took his kingdom from him, and granted it, in 945, on tenure of military service, to Malcolm I., King of Scots, as a *feudal benefice in the strictest sense*. *Cumbria thus became a fief of the Crown of England, but not a fief held within the kingdom of England. Cumbria was not an integral part of England; it was without that kingdom, and had always been so.*

Thus, in 945 the Deiran or southern portion of the present county of Westmorland had been part of England—part, indeed, of Yorkshire—since the battle of Chester in 607; the Bernician or northern was part of Cumbria, an extraneous fief of the kingdom of England.

From this period Cumbria continued in possession of the royal line of Scotland, sometimes retained by the King himself, at others by a member of his family; usually, if one may credit the national historians, by the proximate heir. The only circumstance which is recorded of it for many years is its total desolation by

¹ Mr. Hodgson-Hinde's "Early History of Cumberland," *Archæological Journal*, vol. xvi., p. 225. See also Ferguson's "History of Cumberland," p. 134.

Ethelred, King of England, in A.D. 1000, at which time it is represented as the chief rendezvous of the Danes in Britain.¹ Mr. Robert Ferguson, F.S.A., in his "Northmen in Cumberland and Westmorland," has proved by place-names and by the language of the people that there must have been an extensive colonization of the district from Scandinavia. Save in the way just mentioned no record of this Scandinavian colonization exists in history; it must therefore have been peaceful and gradual, and we find no trace of any Scandinavian dynasty as settled or ruling in the district.

About the middle of the tenth century Eadgar, King of England, put an end to the kingdom of Northumbria, and entrusted its government to a series of earls, of whom Siward is perhaps the best known. Siward was appointed to the earldom in 1041, and was sent by Edward the Confessor on his memorable expedition into Scotland, whose king was Macbeth, while Malcolm, son of the murdered Duncan, the predecessor of Macbeth, was Under-King, or Prince of Cumbria. Siward defeated and slew Macbeth, and placed on the throne Malcolm or a son of that name. This was Malcolm III., or Malcolm Caenmore, who during his long reign retained both Cumbria and Scotland in his own hands. Under his government, however, the district or land of Carlisle—that is, all the *Cumbrian territory south of the Solway*, the Bernician portion of Westmorland and Cumberland—was severed from the rest of Malcolm's dominions. The date of this is uncertain, but it would appear to be 1070, in which year, as we learn from Symeon of Durham, Gospatric, Earl of Northumbria, overran that district in revenge for the devastation of Teesdale by Scots. The Earl, though very shortly afterwards dispossessed of his earldom, and a fugitive at Malcolm's Court, seems to

¹ Mr. Hodgson-Hinde's "Early History of Cumberland," *Archæological Journal*, vol. xvi., p. 225.

have been able to put his son Dolfin in possession of the district wrenched from Malcolm, and we find Dolfin there twenty-two years later—in 1092. The suggestion has been made that Malcolm, for some purpose of his own, put Dolfin in possession of this district, the land of Carlisle.

In the year 1092 William Rufus came North with a large army, drove out Dolfin, and took possession of the land of Carlisle; and the land of Carlisle became for *the first time part of the English kingdom*, and the boundaries of that kingdom were established as they at present exist. Thus, the present county of Westmorland, after being divided for near five hundred years (from 607 to 1092) between an English and a British or Welsh kingdom, became wholly English.

The first care of the English King was to make his dominions safe against invasion from Scotland, and to secure the great road from York to the North over the pass of Stainmore. This he did in the most approved fashion of the day; the military engineers who served his father had introduced from Normandy the fashion of building castles in stone, with, where the ground was firm enough to carry the weight, great square keeps within their enceinte; the Tower of London is the finest example thereof in England. For the erection of such keeps the waste chesters or camps of the Romans offered facilities of a high order: their strategic positions, selected by men who thoroughly understood the art of war; the rich quarries their abundant ruins presented of hewn and wrought stone all ready to hand; and the firmness of the ground, consolidated by long lapse of time, on which they stood. The "burhs," or great earthworks, with which the thanes or franklins, who preceded the Norman barons, had studded the land, were also well fitted for that purpose. For the defence of the great road from York over Stainmore, William Rufus reared square

Norman keeps on the Roman camps of Bowes in Yorkshire, of Brough-under-Stainmore and of Brougham in Westmorland, and of Carlisle, on the sites of Roman *Lavatra*, *Vertera*, *Brovonaca* and *Luguvallium*. Another of these square keeps he placed on the site of the "burh" of the thane or franklin of Appleby, and yet another on the "burh" of Pendragon, to guard the by-pass of Mallerstang.¹ This chain of castles guarded the only road open for wheels from Carlisle and the West of Scotland into the heart of England, the great plain of York. A castle at Bewcastle stopped the Maiden Way, on which, owing to the gradients, wheels could not be used. For the time this seems to have been thought sufficient: no Norman castle was built on the "burh" of the thane or franklin of Kendal; the Red King's advisers do not appear to have been apprehensive of an invader, from either Scotland or Ireland, landing on the Cumbrian coast and working south by the Roman roads to Windermere and Kendal; they seem also to have thought the impervious and roadless defiles of Shap required no fortifications. These castles were built by or under the superintendence of Flemish masons, of whom the Red King imported a considerable number, who probably remained in the country as settlers. He also colonized the new addition to his kingdom with Saxon families brought from the South, but the majority of these probably settled in the plain of Cumberland rather than in Westmorland.

Thus we have the Bernician and the Deiran portions of the modern county of Westmorland included in

¹ The keep at Appleby acquired the name of "Caesar's Tower," and those at Brough and Brougham of the "Roman Towers," and these names are used by the Countess of Pembroke in her diary. This does not prove those buildings are Roman. They are undoubtedly Norman, early Norman, which in construction followed the Roman method of building.

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England in the year 1092: as yet they had no common denominator; one was part of the land of Carlisle, the other was part of Yorkshire, but both were part of the English kingdom. The Yorkshire portion of modern Westmorland and the Yorkshire portion of modern Cumberland, together with Lancashire north of the Ribble and the wapentake of Ewecross in Yorkshire, formed the district of Agremundreness (Amounderness) in Yorkshire, and are surveyed as part of that district in Domesday Book.





CHAPTER V.

THE DISTRICT OF AMOUNDERNESS.

IN the last chapter we have gone somewhat fully into the history of the Bernician portion of the modern Westmorland; not more fully than it deserves, for its history, the history of the land of Carlisle, is somewhat complicated, and has been much misunderstood; further, it has been confused by the introduction into it of William the Conqueror, and by the mistaken notion that the district of Carlisle was already an English earldom in the time of that sovereign. More upon this matter will be found in the companion history of Cumberland.

The history of the Deiran portion of Westmorland is simpler; it is part of the history of England from the date of the battle of Chester, A.D. 607, at which time that portion became part of England. It was included, as told in the last chapter, in the Domesday Book district of Agremundreness, or Amounderness, as the hundred in modern Lancashire to which the district has dwindled is now called. At the time of the Survey it included the Deiran portions of modern Westmorland and Cumberland, Lancashire north of the Ribble, and the wapentake of Ewecross. At the time of the Survey the whole of it was included in Yorkshire, and in the diocese of York; Lancashire did not exist. The name first appears as Hasmundernes in 705, when lands near Ribble in

Hasmundernesse were bestowed by the English land-owners upon the monastery of Ripon. At a later period the Danes seem to have ravaged and over-run the district under a leader named Amund, and it has been suggested that from him the district obtained its name; but the name is older than the time of Amund, if, indeed, that was his name. In 930 King Æthelstan purchased Amounderness and granted it to the Church of St. Peter at York. Later on the district became parcel of the great honour of Lancaster, or at any rate held with it, and so included in the possessions of Tosti, Earl of Northumbria, son of Godwine, and brother of Harold the Englishman. A revolt of the Northumbrians drove Tosti to Flanders, and Harold acknowledged Morcar as Tosti's successor in the earldom. William the Conqueror bestowed the honour of Lancaster upon Roger de Poitou, third son of Roger de Montgomery, in reward for services rendered by his family. But Roger de Poitou, who obtained that name from estates held there by his wife, Almodis, Countess of March, took part in the rebellion against the Conqueror that broke out after the first distribution of estates among the Normans, and before the Domesday Survey. He thus forfeited his estates, and at the time of the Survey the district of Amounderness was in the hands of the Crown.

The Survey gives no very cheerful picture of the district; in the hundred of Amounderness a list is given of about fifty villages, which are stated to belong to Prestune (Preston), as well as three churches. A note says:

Of these, sixteen have few inhabitants, but how many inhabitants there may be is not known. The rest are waste. Roger of Poitou had it.

In a list of fifteen villages belonging to the Manor of Witetune, now Whittington in Lancashire, on the banks of the Lune, *Castretune* (Casterton), *Berebrune* (Barbon)

Survey of Westmorland.

now Thrimby) appear; in each of these had had three carucates¹ or the last six, rateable to the gelt or twelve manors in *Ovstevic* (Austwick), *Killington* (in Westmorland), *Middletun* (Middleton), *Manzserge* (Kirkby Lonsdale), *Lupeton* (Preston Patrick), *Holme* (Holme), and *Hotune* (Hutton Roof), all in which had been held by Torfin with four of the twelve contained forty-three carucates to the gelt. Of nine manors in *Kirkby-in-Kendal*, *Helsington* (Stainton), *Hotun* (Old Hutton), *Kendal* (in Kendal), are in Westmorland. Of the Survey says, "Hæc habuit Gilemichel"; in the carucates of land were ratable to the gelt. The Survey of Roger de Poitou the Survey gives the following which are in Westmorland: in *Biedun* (Biedun), six carucates rateable to the gelt; in *Middletun*, four carucates; *Prestun* (Preston), three carucates; *Hennecastro* (Hincaster), two carucates; *Heversham* (Heversham), two carucates; and *Heversham*, two carucates. These are stated to have belonged formerly to Earl Tosti.

A question has been, and is often, asked why *Westmorland* (and *Cumberland*) do not appear in the *Domesday Book*: twenty years ago a memorable discussion arose in the columns of the *Times*, which has been recorded in his "Reign of William the First." But we hope that our readers will have

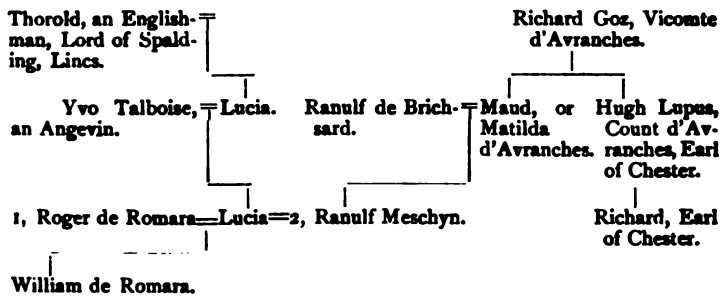
¹ *Carucate*: the quantity of land that could be ploughed by a single ox team in a season; long varying in extent, according to the nature of the soil, but determined in 1104 to be 120 acres. Stubbs's "Select Charters," p. 536.

grasped the simple facts that no part of England was known at the time of the Survey by the name Westmorland or Cumberland—that so much of the shires now bearing those names as then formed part of the Kingdom of England is surveyed under the head of Yorkshire—that the reason why the rest is not surveyed is because it formed no part of England.¹

¹ Freeman's "Reign of William Rufus," p. 546. See the introduction to "The Pipe Rolls for Cumberland, Westmorland and Durham," published by the Society of Antiquaries of Newcastle-on-Tyne, in 1847. See also a paper "On the Early History of Cumberland" which appeared in the *Archæological Journal*, vol. xvi., p. 217.



cadet of the house of De Brichsard, or De Briquessart, and he or his father was Viscount or Sheriff of the Bessin in Normandy; one or other of them is stated to have rendered important services to Henry I. during a rebellion in that country. The man whom we have to deal with appears to have been styled *Ranulf le Meschyn*, the cadet, or the junior, that being the meaning of the term *Meschyn*. Ranulf Meschyn, the name he calls himself by in a grant to the monks of Wetheral, was Latinized into *Ranulphus Meschinus*, and retranslated into *Ranulph de Meschines*, the name he is best known by.¹ His mother was Maud or Matilda, sister of Hugh d'Avranches, surnamed Lupus, Earl of Chester. The following pedigree may be helpful:



Ranulf Meschyn, as we find from several monastic charters, was in possession of the land of Carlisle, under a grant from the Crown, but it is doubtful whether he obtained that grant during the last eight years of the reign of William Rufus, or during the reign of Henry I.² The land of Carlisle included Appleby and a large district which now began to be called the barony of Appleby or Applebyshire, and also Westmarieland or Westmorland,

¹ For more about Ranulf Meschyn, see "The History of Cumberland," in this series, pp. 142, 143. In local books, he and William the Conqueror are always intruding into Westmorland and Cumberland at impossible dates and seasons.

² See the companion "History of Cumberland," p. 142.

a name at first confined to the district or barony of Appleby. To the land of Carlisle Ranulf Meschyn added, by his marriage with Lucia, daughter of Yvo Talboise and widow of Roger de Romara, Amounderness, and also the Lincolnshire estates, which had belonged to Thorold, the Englishman. Ranulf Meschyn thus held all modern Cumberland (except the parish of Alston) from the Solway to the Duddon, the baronies of Appleby and Kendal,¹ all Lancashire north of the Ribble, the wapentake of Ewecross in modern Yorkshire, and the Spalding estates in Lincolnshire.

In 1120² Ranulf's cousin Richard, Earl of Chester, with numerous other youthful Norman nobles, perished in the *White Ship* with the unlucky Prince William, the only son of Henry I., and his possessions and earldom fell to the Crown. Ranulf Meschyn succeeded to the earldom of Chester, with the estates attached thereto, and surrendered to the Crown the land of Carlisle and the possessions he had acquired in right of his wife Lucia. To this surrender her son, William de Romara, naturally and strenuously objected, and ultimately succeeded in recovering great part of them; the Crown retained the barony of Kendal. No new Earl of Carlisle was appointed: the Crown had discovered that the policy of entrusting the defence of its borders and marches to great

¹ Mr. Hodgson-Hinde considers it to be doubtful whether the barony of Kendal descended to Lucia, and so to Ranulf. The Crown probably acquired it on the death of Yvo.

² This, 1120, is the correct date of the wreck of the *White Ship*, and Mr. Freeman gives it correctly in his "Norman Conquest," vol. v., p. 195; but in his "William Rufus," vol. ii., p. 549, he gives it as 1118, copying apparently, Mr. Hodgson-Hinde in the *Archæological Journal*, vol. xvi pp. 229, 231. This has often caused confusion. On one occasion the present writer, after passing 1120 as correct in his proofs, found a friend had at the last moment, on the authority of Mr. Freeman's "William Rufus," altered that date to 1118. Archdeacon Prescott called attention to this subject in his "Visitations in the Archdeaconry of Carlisle," p. 10.

earls who enjoyed *jura regalia* was a bad policy for the Crown, as these great earls were hard to control. The land of Carlisle, the barony of Kendal, and the strip of land intervening between them, were handed to sheriffs, and were divided into the two counties of Westmaireland, containing the baronies of Appleby and Kendal and the county of Carlisle; these two counties were accounted for by their sheriffs under these names in the Pipe Roll of 31 Henry I.

So much for the military, civil and fiscal organization established by William II. and his brother Henry I. A word or two must be said upon the ecclesiastical organization. The barony of Kendal and the south-west of Cumberland, up to the river Derwent, had long (since 607) been part of England—part, indeed, of Yorkshire, and so of the great diocese of York. In 1092, when the Red King added the land of Carlisle to the English kingdom, the sees of Durham and of Glasgow both claimed jurisdiction over it, and the See of Durham was more or less in possession of it. In 1133 Henry I. constituted the land of Carlisle into a bishopric. Thus the barony of Appleby was in one diocese—that of Carlisle—and the barony of Kendal in another—that of York; Henry VIII. put the barony of Kendal into his new diocese of Chester, and the two baronies continued to have different bishops until 1856, when, on the death of Dr. Percy, Bishop of Carlisle, the barony of Kendal and Lancashire north of the Sands were transferred to the diocese of Carlisle.

Ranulf Meschyn resigned the earldom of Carlisle in 1120, but at some period before that date he gave to the Abbey of St. Mary, at York, of which the priory of Wetheral was a cell, the manor of that name on the river Eden, near Carlisle, the churches of St. Lawrence, and St. Michael, Appleby, and part of the tithes of Maiburn (Meaburn, in Westmorland) and Salchild (Salkeld, in

Cumberland), and also churches in Cumberland, namely, Wederhal (Wetheral) and Wartheuric (Warwick).

In the first chapter of this book we set out the boundaries of the county of Westmorland, whose condition we have since been attempting to describe. It may now be well to devote a little space to the discussion of the ethnological strata within these limits. In our first chapter we have shown that prior to the advent of the Romans there were settled in the district whose history we are endeavouring to tell three people, namely, two Celtic and one pre-Celtic, all included under the name of the Brigantes, or freemen. Upon these the Romans burst in, conquered and occupied the land, but ultimately vanished, leaving no perceptible influence on the modern Westmorland peasant that the ethnologist can trace. Next came the Angles, from the Anglian kingdom of Northumbria: their settlements may be known by the termination *ton* or *tūn*, which originally meant the enclosure, or hedge, either of a single farm or of a village, and survives to this day in the word *township* (*tūnscipe*).¹ The Angles came in along the Roman roads, and Cumberland, rather than Westmorland, was the district they favoured, as they much preferred the fertile plains to the barren mountains. The Maiden Way brought them into Westmorland to Dufton, Murton, Bolton, and Orton, and the High Street to Clifton, Helton, and Bampton; but the Lake District they avoided, though, after filling the great plain of Cumberland, they swept round the north of it, and to the west, between the Lake District and the sea. Many of the names ending in *ton* are those of tribal settlements, but of this class only two appear in Westmorland, namely, Helsington, the *ton* or *tūn* of the Helsingas, and Killington of the Killingas, as against seven or eight in Cumberland. A glance at a map of the two counties, on

¹ Stubbs's "Constitutional History," vol. i., p. 82.

which the *tons* or *túns* are marked, will show that the Angles entered the district, as might be expected, from the east. The Saxons came from the south, as their distinctive mark, the termination *ham*, a home or homestead, is scarce, and generally occurs near the lakes and rivers, as Heversham, Betham, and Dallham (Dallam) between Kendal and Morecambe, and Askham and Brougham, near Ullswater and the Eamont. The corresponding Danish term is *by*, a village or small town, and in Westmorland and Cumberland about sixty places have names that end in *by*: like the places ending in *ton*, they are to be found in the plains, and not in the mountains. In Lincolnshire, the most purely Danish part of England, about two hundred and twelve place-names end in *by*,¹ and the Westmorland and Cumberland *bys* have accordingly been thought to mark Danish settlements; but Mr. Robert Ferguson, F.S.A., points out, in his "Northmen in Cumberland and Westmorland," that the term *by* is by no means uncommon in Norway, and in some of the districts colonized by the Northmen, as the Isle of Man, while the absence or rare occurrence of some of the other terms, more particularly Danish, militates against such a view. Among those other terms take *thorp*, a termination extremely common in Denmark and in the more purely Danish districts of England, signifying much the same as *by*, a village or small collection of houses. It is of very rare occurrence in Westmorland, as Hackthorpe, Crackenthorpe, and Melkenthorpe, containing, says Mr. Ferguson, the Scandinavian proper names Haki, Kraka, and Melker. The conclusion to be drawn is that the Danish colonization of Westmorland was inconsiderable.²

The same meaning belongs to the Norse word *gardr*,

¹ Sullivan's "Cumberland and Westmorland, Ancient and Modern," p. 43.

² See Ferguson's "Northmen in Cumberland and Westmorland," pp. 41, 42.

which we find under the form *garth* and *guards*, as at Applegarth, Hogarth, Skygarth, Culgarth, Grasgarth, and Mellguards. But the most characteristic termination in the district is *thwaite*, the Norse *thveit*, Danish *tved*: it signifies a clearing in the fells. Instances of it abound in Westmorland, situated mainly in the high ground avoided by the *bys* and the *tons*, while the *garths* seem to occur on its verge. If we take *thwaite* to be Danish, it would prove the Danes to have over-run the country, plains and mountains alike; if it be Norse, it points to a Norse invasion and settlement of the country unrecorded in history, but written in its place-names. This view is strongly supported by Mr. Robert Ferguson, F.S.A., in his "Northmen in Cumberland and Westmorland"; he accounts for the presence of this and other Norse names by the supposition that at the end of the tenth century bands of Norsemen, descending from the Isle of Man, where in the course of their roving they had at that time fixed their headquarters, effected a landing on the opposite coasts of Cumberland, and permanently settled in a district which would present so many natural features to remind them of their native land.

The following passage from Mr. Ferguson's "Dialect of Cumberland" applies with equal force to Westmorland:

So far as the words descriptive of the physical characteristics of the country may serve to indicate the ownership of the soil, a nomenclature distinctly Scandinavian would seem to prove that it had passed away from its original owners to their Northern invaders. The words *by* and *thorp*, a village; *fell*, a mountain; *how*, a hill; *force*, a waterfall; *tarn*, a small lake; *wath*, a ford; *dowp* and *wick*, a bay; *gill*, a small ravine; *with*, a wood; *lund*, a grove; *thwaite*, a clearing; *carr*, a low damp grove; *flow*, a bog—characteristic Scandinavian words, most of them living terms of the dialect, and all of them of constant occurrence in the names of places—distinctly assert the occupation of the district by the Northmen.¹

¹ "The Dialect of Cumberland," by Robert Ferguson, F.S.A., p. 215.

Many words now in use in the Lake District referring to property of another kind are Norse: thus *twinter*, a two-year-old sheep, and *trinter*, a three-year-old, are used alike in Lakeland and in Iceland. So in Lakeland a female lamb is a *gimmer-lamb*; in Icelandic *lamb-gymber*, and in Danish *gimmerlam*. The *lug-mark*, a bit cut out of a sheep's ear that it may be recognised by its owner, is in Iceland the *lögg-mark*; *lög* is law, and the *lug-mark* of Lakeland and the *lögg-mark* of Iceland is the lawful or legal mark by which the sheep of one farm can be distinguished from those of another. The *smit*, or smear of colour, generally red, by which sheep are marked, occurs in the Bible of Ulphilas in the same sense of a smear.¹ Another proof may be found in the carving on the knitting-sticks made and used by the Westmorland peasantry of the present day: the traditional patterns are decidedly Scandinavian.²

There can, then, be no doubt that there was a most extensive colonization of Westmorland by Norwegians, utterly unrecorded by historians, except in an obscure passage in Henry of Huntingdon, but which has left abiding traces behind it in the place-names and the language of the district. The evidences have been carefully collected, and their value carefully weighed by Mr. Robert Ferguson in his two works, "The Northmen in Cumberland and Westmorland" and "The Dialect of Cumberland." Other experts share Mr. Ferguson's views. Mr. Taylor writes:

The Lake District seems to have been almost exclusively peopled by Celts and Norwegians. The Norwegian suffixes *gill*, *haugh*, *thwaite*, *foss* and *fell* are abundant; while the Danish forms *thorpe*

¹ "Lakeland and Iceland," by Rev. T. Ellwood. *Transactions, Cumberland and Westmorland Archaeological and Antiquarian Society*, vol. ix., p. 383.

² Knitting-sheaths. *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. vi., p. 91.

and *toft* are almost unknown ; and the Anglo-Saxon test-words *ham*, *ford*, *worth* and *ton* are comparatively rare.¹

The late Mr. J. R. Green tells the same in vivid and picturesque language :

Along the Irish Channel the boats of the Norwegian pirates were as thick as those of the Danish corsairs on the eastern coast ; and the Isle of Man, which they had conquered and half colonized, served as a starting-point, from which the marauders made their way to the opposite shores. . . . But it is in the Lake District and in the north of our Lancashire that they lie thickest. Ormside and Ambleside, Kettleside and Silverside, recall the "side" or settle of Orm and Hamel, of Ketyl and Soelvar, as Ulverston and Ennerdale tell of Olaf and Einar. Buthar survives in Buttermere, Geit in Gatesgarth, and Skögul in Skeggles Water. The Wikings Sölvar and Böl and Skall may be resting beneath their "haugr" or tomb-mound at Silver How, Bull How and Scale How.²

To sum up, then, the free Aryan dolicho-cephalic men that once inhabited this region were superseded by Aryan races—first by Hiberno-Celts, who spake Gadhelic, or Gaelic, the Goidels, who landed in the north and east of Britain ; and then by Cambro-Celts, or Brythons, who landed on the south and south-west, and who spoke Cymric, or Welsh. Both these people settled in this district, and the previous possessors, a Lapp or Finn-like race, would soon be conquered by these Celts, whom Max Müller describes as the equals in physical beauty and in intellectual vigour of the Saxons, Romans and Greeks.³ To the Celts (Britons, or Welsh, as they are generally called) came as conquerors the Romans, and for 400 years held the land in thrall by means of a powerful and motley garrison, drawn from almost every nation known to the ancients, but which has left no traces that the ethnologist or philologist can seize. The works of the Romans alone defy the

¹ "Words and Places," p. 115, cited in Green's "Conquest of England," p. 277.

² "The Conquest of England," p. 276.

³ "Chips from a German Workshop," vol. iii., p. 249.

obliterating influence of time. Then followed another Aryan invasion, a Teutonic one this—the English invasion: Angles from the east, and Saxons (but few compared with their numbers in Cumberland) from the south; then came the Danes from the east, and the Norsemen from the west.

We quote from the “*Crania Britannica*,” by Messrs. Davies and Thurnam (vol. i., pp. 215 *et seq.*), Dr. Davies’ account of the Westmorland and Cumberland peasants, which will be found to agree with their history:

The populations of Cumberland and Westmorland, of Yorkshire and Lincolnshire, exhibit unequivocal signs of a Scandinavian strain. Those of the first county are a tall, light-complexioned, long-faced, handsome, and in every sense powerful, people, whether they claim Danish or Norse descent—most probably the latter. The Cumberland peasantry, like their neighbours of Westmorland, are remarkable for their stature. The average has been estimated, without measurement, by a close observer, to be 5 feet 9 inches for the men, and 5 feet 5 inches for the women. The average stature of the rural police is 5 feet 11 inches, whilst that of the Westmorland portion exceeds 6 feet. The bones of the Cumbrian¹ people are large, the skeleton strong, and the limbs decidedly long. They are not a very bulky people, nor yet very fleshy; still, they are athletic, and they are free in their movements. They are famous for feats of wrestling, or ‘rustling’; and men noted for their dexterity in this sport have been observed to have long ape-like arms. The countenance is fair and handsome. The face is long and orthognathous; the forehead of good height and breadth, indicating fully-developed anterior lobes of the cerebrum. The nose is straight on the dorsum, or slightly sinuous, long, rather slender, and prominent, often rising high at the root between the eyes, and having the tip standing out over the lip. The chin is not narrow or receding, but rather the contrary. The hair is generally of a light shade of brown, or fair; very seldom red, rarely dark, with an absence of black, and not curly. The body is marked by an inferior degree of hairiness. Gray and blue eyes vastly preponderate, the darker colour being rare. . . .

¹ The kingdom of Cumbria included great part of Westmorland, as well as of Cumberland.

In a footnote Dr. Davies says :

A more minute delineation of the Cumbrian features, character and tastes describes them thus : Countenance not very expressive ; intellect shrewd and wary, but rather slow ; not bright, but safe, true and persevering ; long in maturing. The mathematical sciences have often been efficiently cultivated, but in all those embraced in the division of *belles lettres* there is mostly a betrayal of defective aptitude. [This agrees with what was observed of the Norse people of Ness.] Little communicative ; not excitable, yet, when roused by a sense of unfairness, resolute. Of great integrity and honesty of purpose, but not very candid or open ; far-seeing and acquisitive, but at the same time warm-hearted, kind and "clannish." In the enjoyment of fun they may be rude, but are not cruel. Severe bodily exertion marks their pastimes, which constitute a Herculean strife, conducted with faultless honour—the manifestation of strength of body and mind.





CHAPTER VII.

THE NORMAN SETTLEMENT: I.

IN the manner already narrated in this book, the two counties of Westmorland and Cumberland, then called Westmaireland and Carliol, came into the hands of the Crown in the reign of Henry I., and continued in the hands of the Crown during the remainder of that reign, which terminated December 1, 1135. On the death of Henry I. a question arose as to the succession to the throne of England, and Stephen of Blois, by his boldness and readiness, succeeded in mounting the throne almost before the rival claimant, the Empress Matilda, could move. The usurpation was submitted to. "Only the old King of Scots took up arms on behalf of his niece, and he was pacified by the surrender of Carlisle, although he declined to do homage in consideration of his oath to the Empress."¹ Westmorland, or part thereof, was included with Cumberland as part of the price given to David, King of Scots, for his acquiescence in the usurpation of Stephen, and to these counties, or a great part thereof, David had, from a Scottish point of view, as this book shows, a strong claim. Westmorland, at all events, is included with Cumberland and Northumberland in the claims made by succeeding kings of Scotland for the restoration of the provinces enjoyed

¹ Stubbs's "Constitutional History," vol. i., p. 321.

by David and his family. In 3 Henry II., Westmorland, Cumberland and Northumberland were finally annexed to the Crown of England, though not without many efforts on the part of the Scotch, both by arms and diplomacy, to recover such valuable possessions. At length the claims of Scotland were compromised under the mediation of Cardinal Otho, the Papal Legate, in 1242, on terms which did not affect Westmorland, though they handed over to the kings of Scotland all the Crown demesnes in Cumberland with the exception of the city of Carlisle.¹ But much happened before this consummation was arrived at.

During the first seventeen years of Henry II. the Pipe Rolls contain no accounts for Westmorland, the revenues of the county being enjoyed by Hugh de Morville, to whom the King had also granted the castle and honour of Knaresborough and other lands in Yorkshire. Now, Hugh de Morville is an extremely common name in the early annals of Westmorland and Cumberland, and every bearer of the name that lived within a century or so before or after the murder of Thomas à Becket, on December 29, 1170, has been accredited with that deed; the real man was this Hugh de Morville, Lord of Westmorland and Knaresborough, and for this his crime his possessions were forfeited to the Crown, though he and his confederates remained at his castle of Knaresborough for a year after the murder, and it is probable that during this period he also kept possession of Westmorland. In 1172 (18 Henry II.) there appears on the Pipe Rolls a solitary entry for Westmorland, the record of a debt due from Elias of Appleby for livery of his land. In 1173 William the Lion of Scotland invaded the Northern counties, and in 1174 he captured the royal fortresses of Appleby and Brough-under-Stainmore. Jordan Fan-

¹ "Early History of Cumberland," *Archæological Journal*, vol. xvi., p. 252.;

tosme's chronicle tells how the Scottish monarch found Carlisle under Robert de Vaux a nut too hard for him to crack ; giving it then the go-by, he took Appleby and Brough :

Ne fist à cele feiz à Robert nul contraire,
Ainz alad à Appelbi, là endreit tint sun eire.
N'i aveit nule gent : pur ço le prist en eire.
Li reis aveit mult tost le chastel d'Appelbi ;
N'i aveit nule gent : si fud tut desguarni.
Gospatric le fiz Horm, un viel Engleis fluri,
Esteit li cunestable ; si cria tost merci.

* * * * *

Li reis Willame d'Escoce ad jà pris Appelbi,
E Roger de Munbrai qui esteit sis amis ;
E mettent là dedenz lur serjanz marchis,
E treis cunestables el chastel unt asis.

* * * * *

A Burc volent aler, le conseil fud il tost pris
Se il ne lur est renduz, n'en istra un sul vis ;
Mès le chastel ne fud del tut issi esquis
Qu'il n'i ot là davenz chevaliers plus de sis.
Le chastel fud mult tost de tutes parz asis ;
Si lur funt dur assaut e Flamens et marchis.
E unt le premier jor sur els le baile pris,
E eus tost l'unt guerpi e en la tur se sunt mis.
Ore sunt en cele tur, curtes ures durrunt ;
Kar il mettent le fu, là dedenz les ardrunt.
Ne sevent nul conseil ne que faire purrunt ;
Jà est li lieu espris : ore endreit ardrunt.
"Par ma fei ! beau sire, si vus plaist, nu ferunt ;
Ainz frunt que chevalier : al rei se tendrunt
Kar il veient tres bien nul sucurs n'aurunt."
Ne poent plus souffrir, au rei rendu se sunt.
Ço est faite fesance iço qu'il ore funt.
Au rei se sunt renduz, granz dolurs ès cuers unt.
Mès un chevalier nouveaux lur iert le jor venuz.
Ore oiez de ses fiz e de ses granz vertuz :
Puis que ses cumpaignuns se furent tuit rendez
Remist-il en la tur e saisi dous escuz,
Si's pendi as kerneaus, lungement s'est tevuz
E lança as Escuz treis espiez esmuluz ;
A chacun des espiez ad un mort abatuz.

Quant ceus li sunt failliz, si reprent peus aguz
 E lançad as Escoz, si en ad cunfunduz ;
 E tuz jorz vait criant : "Jà serrez tuz vencuz."
 Unc d'un sul vassal ne fud estur mielz tenuz.
 Quant li fus li toli le desfens des escuz,
 Ne fait pas à blasmer s'il s'est idunc renduz.
 Ore est Burc abatuz e le mielz de la tur.¹

Of this passage the following is a literal translation, by Francisque Michel, who edited the chronicle for the Surtees Society :

He did not this time any harm to Robert,
 But went to Appleby ; there he directed his march.
 There were no people in it ; therefore he took it speedily.
 The King had very soon the castle of Appleby.
 There were no people in it, but was quite unguarded.
 Gospatric, the son of Horm, an old gray-headed Englishman,
 Was the constable. He soon cried mercy.

* * * * *

King William of Scotland has already taken Appleby
 And Roger de Mowbray, who was his friend ;
 And place within it their serjeants as warders of the marches,
 And they have appointed three constables in the castle.

* * * * *

They want to go to Brough ; the resolution was soon taken.
 If it is not surrendered to them, not a single living being shall go out
 of it.

But the castle was not so unprovided
 That there were not within it more than six chevaliers.
 The castle was very soon attacked on all sides,
 And the Flemings and the border men make a violent assault upon
 them,
 And have the first day taken from them the portcullis ;
 And soon they left it, and placed themselves in the tower.
 Now are they in this tower, they will hold out a short time ;
 For they set fire (to it), they will burn them inside of it.
 They do not know any plan, nor what they can do ;
 Already the fire is lighted : now they will be burnt here.
 "By my faith ! fair sire, if you please, they will not do so ;
 But will behave as chevaliers : they will stick to the King,

¹ "Chronicle of the War between the English and the Scots in 1173 and 1174," by Jordan Fantosme, Surtees Society, vol. xi., pp. 66, 68.

For they see very well they will have no succour."
They cannot hold out longer ; they have surrendered to the King.
That is well done which they do now.
They have surrendered to the King ; they have great sorrow in their hearts.
But a new knight had come to them that day.
Now hear of his deeds and his great virtues :
When his companions had all surrendered,
He remained in the tower and seized two shields ;
He hung them on the battlements. He stayed (there) long,
And threw at the Scots three sharp javelins.
With each of these javelins he had struck a man dead.
When those failed him, he takes up sharp stakes
And hurled them at the Scots, and confused some of them,
And ever keeps shouting, "You shall all be soon vanquished !"
Never by a single vassal was strife better maintained.
When the fire deprived him of the defence of his shield,
He is not to blame if he then surrendered.
Now is Brough overthrown, and the best of the tower.¹

The names of the knights who so stubbornly defended Brough Castle are not recorded, nor do they seem to have been in any way rewarded. But the luckless Gospatric, the son of Orm,² was fined 500 marks for surrendering Appleby Castle to the King of Scotland ; Udard de Broham was fined 40 marks for being with the King's (the English King's) enemies ; and Reginald, the cook, £5 for sending them their victuals—in all about thirty persons were fined for being concerned in the surrender of Appleby Castle, and for aiding and abetting the Scots. These fines are accounted for in the Pipe Roll for EVERWICHESIR (Yorkshire), in 22 Henry II., 1176,

¹ *Ibid.*, pp. 67, 69.

² Orm, or Horm, the father of this old gray-headed *Englishman*, was son of Ketel, son of Eltred, said to be son of the *Norman* baron Yvo Tailboise—a fictitious pedigree. See "Introduction to Pipe Rolls for Cumberland, Westmorland and Durham," pp. xliv., liii. Orm married Gunilda, daughter of Gospatrick, Earl of Dunbar, and his son Gospatrick was thus closely allied with the royal family of Scotland ; so it is quite possible his sympathies were rather with the Scotch than with the English.

by Ranulph de Glanville, Sheriff of that county. The same Pipe Roll also contains another entry that relates to Gospatrick, son of Orm: "Willielmus filius Willielmi debet xxx. marcus ut habeat Duellum" (a trial by battle) "versus Gospatrick filium Orm." This interesting entry is unexplained, but it took William Fitzwilliam three years to pay off the fine and get his *quietus*.

Brough captured, King William hurried back to Carlisle, and, after arranging for the surrender of that city on a future day on certain terms, went into Northumberland, devastating the northern counties as he went. His career was cut short near Alnwick Castle, where, in a fog, he blundered into the English host, was made prisoner, and sent to London. The Pipe Rolls speak eloquently as to the destruction wrought by this war. In 1173 the income from Cumberland was largely deficient, and in 1174 and 1175 the sheriff of that county did not tender any accounts whatever, "pro Wasto Comitatus propter Guerram." It is not, therefore, surprising that Westmorland, which suffered much more severely, should have contributed nothing to the treasury until the twenty-third year, with exception of a long string of fines in 22 Henry II. already mentioned. In 23 Henry II. Reiner, the steward (*dapifer*) of Ranulph de Glanville, Sheriff of Yorkshire, renders an account of the revenue of Westmorland for that and the two preceding years; and Ranulph de Glanville does the same in 24 and 25 Henry II. Pleas of the Crown for Westmorland were held in 29, 30, and 31 Henry II., but with this exception, from 25 Henry II. to the end of that reign, the Crown derived no revenue from Westmorland, which must have been in the hands of a subject. In the Pipe Roll of 2 Richard I. it is styled the "honor" of Westmorland, which clearly indicates that it had been in the meantime in the possession of a subject. A short entry in the accounts of 24 Henry II. supplies the only information we possess of the proprietorship.

"Tedbaldus de Valeines debet xxxli. de Releuio vj. Militum" (knights' fees). This comprises the whole county, the barony of Appleby, with the bailiwick, being rated as four knights' fees, and Kendal as two.¹ No trace of this debt appears in the Pipe Roll for the next year, and in the years for which no accounts are shown—*i.e.*, from the twenty-sixth year to the end of the reign—Theobald de Valeines was in possession of the honour of Westmorland, of which the barony of Kendal was clearly held at this period, and not directly from the Crown. Although the Lancaster family were the possessors of the soil of that barony, they did suit to the shire courts of Westmorland, and paid to its lord cornage and customs, as appears both from the Pipe Rolls and the charter of Richard I.² The fishery also belonged to the feudal superior.³

Theobald de Valeines was the father-in-law of Ranulph de Glanville, and probably owed the possession of the honour of Westmorland to this connection, for Glanville enjoyed the unlimited favour of his Sovereign, Henry II. But with a new reign came great changes. On the accession of Richard I. Glanville was deprived of all his appointments and subjected to a heavy fine. The royal displeasure seems to have extended to his father-in-law, Theobald de Valeines, for the honour of Westmorland was seized by the King.

Richard I. granted the barony of Kendal by charter to

¹ For all this the writer is very largely indebted to Mr. Hodgson-Hinde, in the "Introduction to the Pipe Rolls of Cumberland, Westmorland and Durham," section iii.—a perfect mine of information and suggestions.

² The Lancaster family derived their title to the barony of Kendal from Roger de Mowbray, in the reign of King Stephen, and he from his father, Nigel de Albini. They are both mentioned in charter of Richard I. to Gilbert FitzReinfrid as former possessors of the barony. See "Introduction to Pipe Rolls," p. xliv.

³ Mr. Hodgson-Hinde, *ut ante*.

Gilbert FitzReinfrid, under which Gilbert held the barony, with the fishery, by the service of two knights, and freed from noutgeld. In 4 John Robert de Vipont had a grant, during the King's pleasure, of the barony and bailiwick, with the castles of Appleby and Brough, excepting only the right of holding pleas of the Crown, and saving the royal dignity. In the following year the grant was converted into a perpetuity. The subsequent accounts are accordingly confined to arrears, and a record of fines and amercement before the justices itinerant.¹

We have thus got the two baronies of Appleby and Kendal held separately and directly from the Crown. Their subsequent history will be dealt with in separate chapters. A little space may be well devoted to consideration of some items in the Pipe Rolls for Westmorland in the reigns of Henry II., Richard I. and John.²

The farm of the county of Westmorland—that is, the rent or sum payable by the Sheriff for the profits of the county jurisdiction—in the 21st year of Henry II. was £34 8s. 10d.; 22nd year, £38 18s. 3d.; 23rd year, £57 4s. 4d.; 24th year, £90 2s. 5d.; and 25th year, £90 2s. 5d. But the sum of £10 must be deducted annually, the value of the manor of Sowerby (Temple Sowerby), which had been granted to the Knights Templars; and for each of the two last years a further sum of £4 3s. 2d., in consequence of grants to other parties. The devastation committed by the Scots under William the Lion caused large outlay, and in the 21st,

¹ Hodgson-Hinde, *ut ante*.

² The Pipe Roll for a particular county—otherwise, the Great Roll of the Exchequer—was a parchment roll on which was entered the audit of the accounts of the sheriffs. Antiquaries still differ as to the origin of the name. Some refer it to the resemblance of these parchments, when rolled up, to a drainpipe; others to comparison of the public treasury to a reservoir, into which every branch of the revenue flows through one main conduit—"quasi per ductum seu *fistulam* aquæ."—Hall's "Antiquities of the Exchequer," pp. 135, 136.

22nd and 23rd years a lump sum of £45 2s. 6d. was allowed for restocking and restoring to culture lands that had been wasted. No noutgeld, or cornage rent,¹ is charged in the 21st and 22nd years. In the 23rd the payments amounted to £53 1s. 5d., and in each of the two succeeding years the Sheriff accounts for £55 19s. 3d. Of this the barony of Kendal was charged with £14 6s. 4d., and that of Appleby with £41 12s. 11d. In the reigns of Richard I. and John the farm of the county and the noutgeld are accounted for in one sum, and produced £117 os. 6d. annually, until 7 Richard I., when the rent was raised to £130 2s. 4d. Both sums were subject to the following deductions, in consequence of the grant to Gilbert FitzReinfrid mentioned before, and a grant of the manor of Crosby Ravensworth and land at Tebay to Alan de Valeines, probably a son of Theobald de Valeines.

Rent of Kendal	...	...	...	£8 18 2
Rent of fishery ...	...	...	...	5 0 0
Noutgeld	...	...	...	14 6 4
Noutgeld to Alan de Valeines	...	...	...	1 6 8
				£29 11 2

The quittance to Alan de Valeines was continued to Hugh de Hastings, who married his widow, but ceased in 2 John. In 6 Richard I., and for several succeeding years, Gilbert FitzReinfrid is charged for some reason or other with the rent and noutgeld of his barony. He refused or neglected to pay; but in 9 and 10 Richard I. he commuted the arrears for a fine of £100, as he did again in 1 John, when the arrears were £113 os. 5d.

A land tenure called "Drengage" is shown by the

¹ The *cornagium*, or cornage rent, has by some been supposed to be a contraction of *coronagium*, and to mean merely a crown rent, which being originally paid in cattle, was also called noutgeld (*neat* means horned oxen), a North-Country translation of *gildum animalium*, under which name it appears in the Westmorland Pipe Rolls. Another, and perhaps the better, opinion is that it is a horn rent (the Saxon *horngeld*), or rent paid by a land-owner in respect of his horned cattle.—*Archæologia*, vol. xxxix., pp. 349, 352, etc.

Pipe Rolls to have had a footing in Westmorland. In 3 John a fine of 50 marks was imposed upon the Drengi of Westmorland, as the price of their exemption from foreign service (*ne transfretent*). Those who contributed to this payment were eighteen in number; they had been more numerous, but several had been relieved from service by Drengage, and a free tenure substituted, when Hugh de Morville was lord of Westmorland. "The Drengi," says Mr. Hodgson-Hinde, "were the lowest class who had a permanent interest in the land they held. They seem to have rendered to their lord personal service in the operation of husbandry. The term Drengi (*quasi* Dreccanage) was probably derived from the Saxon 'dreccan,' the root of our English word 'drudge.'¹ A mere trace of Drengage is to be found in Cumberland, two tenants only, but it existed in Durham and Northumberland.

There is an important entry in 25 Henry II. :

Burgenses de' Appelbia reddunt Compotum de xl. marcis pro habenda carta de eisdem libertatibus et consuetudinibus quas Ciues Eboraci. habent in Ciuitate tua.

In 1 Richard I. the sum of £44 13s. 8d. was realized from the proceeds of the lands and goods of those who fled on account of the attack on the Jews.

In concluding this chapter, the writer must express his high sense of the value of the "Introduction to the Pipe Rolls for the Counties of Cumberland, Westmorland and Durham during the Reigns of Henry II., Richard I., and John," published by the Society of Antiquaries of Newcastle-upon-Tyne. The book is out of print and scarce, but it is indispensable to all who wish to know the early history of Westmorland and Cumberland. The Introduction is not signed, but it is an open secret that it is by the late John Hodgson-Hinde, who wrote "On the Early History of Cumberland" in the *Archæological Journal*, vol. xvi.

¹ Mr. Hodgson-Hinde, *ut ante*.



CHAPTER VIII.

THE NORMAN SETTLEMENT: II.—THE BARONY OF APPLEBY.¹

IT has been already stated that in 4 John Robert de Vipont had a grant during the King's pleasure of the barony and bailiwick of Westmorland, with the castles of Appleby and Brough, excepting only the right of holding pleas of the Crown, and saving the royal dignity. In the following year this grant was made a perpetuity. The charter is printed in Nicolson and Burn's "History of Westmorland."² It is reproduced here on account of its interest :

Johannes, Dei gratia, rex Angliæ et dominus Hiberniæ, dux Normanniæ, Aquitaniæ, et Andegaviæ, etc. Archiepiscopis, episcopis, abbatibus, comitibus, baronibus, vicecomitibus, et omnibus ministris et fidelibus nostris, salutem. Sciatis nos dedisse, et præsentī charta nostra confirmasse, dilecto et fideli nostro Roberto de Veteriponte Apelby et Burgh cum omnibus appendiciis suis cum ballivato et redditu comitatus Westmerlandiæ, cum serviciis omnium inde tenentium de nobis qui non tenent per servicium militare : Habenda et tenenda de nobis et hæredibus nostris, sibi et hæredibus suis qui de ipso et uxore

¹ It may be as well to state that the honour of Westmorland, the barony of Westmorland, and the barony of Appleby, are three different names for one and the same thing—viz., that part of the county of Westmorland which was once part of the Land of Carlisle. The bailiwick of Westmorland is the sheriffwick, or shrievalty, of the whole county of Westmorland.

² Vol. i., p. 267 n.

sibi desponsata exierint, per servicium quatuor militum pro omni servicio. Salvis nobis et hæredibus nostris placitis omnibus quæ ad coronam regiam pertinent, et salva dignitate regali: et salvo, quod dictus Robertus vel sui vastum neque exitium facere poterint in bruillis de Whinfell, vel in ipsis venari quamdiu vixerimus sine corpore ipsius Roberti. Quare volumus et firmiter præcipimus, quod ipse Robertus vel hæredes sui post ipsum habeant et teneant omnia prædicta de nobis et hæredibus nostris, ut dictum est, in bosco et plano, in viis et semitis, in pratis et pasturis, in moris et mariscis, in stagnis et vivariis, in aquis et molendinis, et in omnibus locis et libertatibus suis et liberis consuetudinibus, sicut prædictum est. Testibus, etc. Datum per manum Hugonis de Wells vicesimo octavo die Octobris anno regni nostri quinto.

Messrs. Nicolson and Burn cite an opinion of Sir Matthew Hale upon this charter. That learned judge notes that the words "*Apleby et Burgh cum appendiciis*" carry the castles and manors of that name, and everything dependent thereon, making up the *barony* of Westmorland; in fact, that these words carry the *barony* of Westmorland, otherwise called the honour of Westmorland, otherwise called the *barony* of Appleby, with all its subordinate manors, being, in fact, that portion of the modern county of Westmorland that had been included in the land of Carlisle. The words "*cum ballivato et redditu comitatus Westmorlandiæ*" passed the sheriffwick and rent of the whole *county* of Westmorland, which was thus parcel of a portion of a *county*, namely, of the *barony* of Westmorland, or Appleby. Sir Matthew Hale points out that by the charter the *barony* of Appleby is not specified to be held *per baroniam*, but *per servicium quatuor militum*. Sir Matthew observes:

So that it is not necessary that a *barony* by tenure be held *per baroniam*. But if a large possession be granted to be held by an honourable person, this entitled him in those ancient times to a particular summons to Parliament as one of the *barones regni*.

Robert de Veteripont, or Vipont, as appears from the reports on "The Dignity of a Peer," received his summons to Parliament as a Baron.

The name Vipont, Vipond, or Vipound in English, Veteriponte in Latin, and Vieuxpont and Vezpont in French, belongs to a family supposed to have had its origin in Vieuxpont-en-Ange in the arrondissement of Lisieux. William and Robert were favourite names in the family, but to sort the various Williams and Roberts into their proper places in a pedigree was a task which the late Mr. Planché, Somerset Herald, declined to undertake.¹ A Vez-Pont (Vieux-Pont) was at the battle of Senlac, when he behaved with great courage, rescuing and remounting William Malet, whose horse had been killed, and who was in immediate risk of being slain. Authorities differ as to whether this De Vieux-Pont was named William or Robert, and Mr. Planché conjectures that both a William and a Robert de Vieux-Pont were at Senlac, and that William was slain there. A son of one or other of these—whether named William or Robert is uncertain—married Maud de Morville, daughter or sister of Hugh de Morville, Lord of Kirkoswald, in Cumberland, and had two sons, Ivo and Robert. This Maud survived her husband, and lived on her estates at Meaburn, in the parish of Crosby Ravensworth, in Westmorland, a place to this day familiar to us as Maud's Meaburn. Her second son, Robert, was high in favour with King John, and had the custody of the unhappy Prince Arthur. He adhered to John throughout his reign, and he and his brother Ivo are ranked by Matthew de Paris among the King's wicked counsellors. Robert de Vipont, or Veteriponte, for his fidelity reaped great rewards—not only the barony of Westmorland or Appleby, and the sheriffwick of that county, but he had the custody of various of the King's castles, and was sheriff of other counties; he was a justice itinerant in the county of York, and one of the Justices of the Common Pleas. He augmented his fortune by plunder and rapine during the civil wars; and he married

¹ "The Conqueror and his Companions," vol. ii., pp. 99-103.

a great heiress, Idonea, daughter of John de Builli, lord of the honour of Tickhill, in Yorkshire. In her right he claimed that honour in a writ of right against Alice, Countess of Eu, which ended in a compromise and a partition. He died in 1228 (12 Henry III.), indebted to the King in the sum of £1,097 11s. 6d., besides five great houses of price for five tuns of wine.¹ He was buried in the Middle Temple, "in the suburbs of London," as his descendant, the Countess of Pembroke, records.

Following him Robert, three De Veteripontes held the barony of Appleby and the sheriffwick of Westmorland in direct succession. The second was named John, and was a minor at the time of his father's death, whom he survived only some fourteen years, dying in 1242. His wife was Sibella, daughter of William Ferrars, Earl of Derby, by whom he had an only child, Robert. John's widow remarried Francis de Bohun, Lord of Midhurst, in Sussex, and the founder there of Cowdry House.

The son, Robert, the second of that name, and third Baron of Appleby and hereditary Sheriff of Westmorland, was but a lad when his father died, and was a long time ward to the King, and in the custody of the Prior of Carlisle, who suffered the estates to go to great waste. After he came of age he sided with Simon de Montfort against Henry III., and died of wounds received either at the battle of Lewes in 1264 or at the battle of Evesham in 1265. For his treason his lands were seized by the Crown, but were afterwards restored. He married Isabella FitzPeter, one of the co-heirs of Richard Fitz-Peter, of a family which had given a Lord Chief Justice to England. The three Veteripontes have left little impression upon modern Westmorland; the name survives at Vigor or Vigant, but how or from whom descended we know not. All three were benefactors to the abbey of Wharfedale, now a ruin. But the armorial bearings of

¹ "The Conqueror and his Companions," vol. ii., p. 103.

the Veteripontes prevail to this day. In the first volume of the Machell manuscripts in the library of the Dean and Chapter at Carlisle, p. 187, is a sketch of the seal of Robert de Veteriponte; it is circular, and is charged with a lion passant gardant and crowned, the origin no doubt of the arms of the borough of Appleby—*gules, three lions passant gardant crowned or*.¹ But John de Veteriponte bore *gules six annulets or* 3, 2, and 1, and sealed with the figure of an armed man on horseback, bearing a shield charged with annulets, which also appear on the caparisons of the horse. Several of the principal families who held lands in the barony of Appleby adopted these annulets, varying the colours of the field and the charges—thus Lowther bears *or six annulets sable*; Musgrave, *azure six annulets or*; Hellebeck, *gules six annulets or within a bordure engrailed argent*; Hilton, *sable two saltires in chief and three annulets 2, 1, azure*.

Robert de Veteriponte, third Baron of Appleby, by his wife Isabella FitzPeter left two daughters, Isabella the elder, and Idonea the younger, who is sometimes called Isetta or Ivetta. Isabella was about ten years old, and Idonea about two, at the death of their father in 1265. Their father's estates had been seized by the Crown, but no attainder of the blood had taken place, and Henry III., in 1266, remitted the seizure, so that the two sisters were seized of the barony of Appleby under the original grant to their great-grandfather Robert. Being thus the heiresses of large possessions, and in ward to the King, the Crown committed Isabella to the guardianship of Roger de Clifford, of Clifford Castle, in Herefordshire, and Idonea to that of Roger Layburne, of Kent; in each case the lady, when of proper age, fourteen or fifteen,

¹ The counter seal, as given by Machell, is curious. It is apparently a classical gem, on which are four dancing figures. Legend: POSVI SVCE * IN. SECRE *. Posui sutelam in secreto—"I have placed a device on my privy seal."

espoused a son of her guardian, who in each case bore his father's Christian name of Roger. Both ladies were early left widows, and within a short time of one another, one being then about twenty-eight, and the other about twenty-one years of age. Idonea remarried a Crombwell of Northumberland, and died in 1333 or 1334, at an advanced age, leaving no issue surviving her, and her moiety of the barony of Appleby fell in to the descendants of her elder sister. The partition of the barony was made by the guardians, and was based on the arrangement that the Cliffords were to have Brougham Castle as their chief seat, and the Layburnes Brough. The Cliffords got the manor of Brougham, a moiety of the manors of Merton, Appleby, Winton and Burgh (Brough); a moiety of the forests of Whinfell and Mallerstang; three-parts of the manor of Meaburn Regis, and a moiety of the profits of the sheriffwick; while the Layburnes were to have the castle of Burgh (Brough), a moiety of the manors of Merton, Appleby, Winton, and Burgh; the manor of Kirkby Stephen; the castle of Mallerstang, a fourth part of the manor of Meaburn Regis; a moiety of the forests of Whinfell and Mallerstang; and a moiety of the profits of the sheriffwick. It may be noted that no castle of Brougham is mentioned in this partition, though that of Brough is; this accords with the idea that this Roger de Clifford remodelled the Norman keep of Brougham, which he probably found dilapidated and uninhabitable, and built all the rest of the castle, gatehouses, domestic buildings, and the whole of the *enceinte* wall.¹ He also placed over the gatehouse the ambiguous inscription "This made Roger." Some difficulty was felt about the office of Sheriff; so long as Roger de Clifford lived he seems to have executed the office; it is said that after his death his widow, Isabella, sat personally in court and executed the office. But the

¹ "Mediæval Military Architecture," G. T. Clark, vol. i., p. 303.

duties were really executed by an under-sheriff, about whose appointment the sisters fell out, Isabella claiming the sole right of appointment; a compromise was arranged, under which Isabella *nominated* and Idonea *approved*.¹ The date of Idonea's death, 1333 or 1334, has already been mentioned; she seems to have resided for most of her long life on her Westmorland property, no doubt at Brough Castle. In the latter part of her life she entrusted the management of the estates to her Clifford relatives.

The elder sister's husband, Roger de Clifford the younger, so called to distinguish him from his father of the same name, who survived him, was slain at the age of forty, in 1283, in the Isle of Anglesea, fighting against the Welsh. Roger de Clifford the younger left an only son, Robert, aged eight years at the time of his father's death; his wardship was the subject of much litigation, which is said to have hastened his mother's death. Isabella de Clifford died in 1291.

As the Cliffords, by the marriage of Roger de Clifford the younger with Isabella de Veteriponte in 1269, enjoyed the barony of Appleby and its appurtenances for three hundred and twenty-six years, down to the death of George, Earl of Cumberland, in 1605, it may be well to briefly state who they were and whence they came.

Richard FitzPonce, a son of William, Earl of Arques

¹ Two seals of Idonea are roughly drawn in the first volume of Machell's MSS., pp. 238, 261. One is circular; on it is a shield containing the arms of Veteriponte (3 annulets only), impaling the three lioncels of Layburne. Legend: "+ Sigillum Idone de Labourne." That Idonea was an heiress is shown by her arms being on the dexter side. The other is vesica-shaped; on it is the figure of a grim-looking woman holding a falcon jessed. Legend: "+ Sigillum Idonie de Veteriponte." The *secretum* at the back bears the figures of two horses and a greyhound. The first was no doubt Idonea's seal during first coverture; the second during widowhood, and probably second marriage.

and Thoulouse, in Normandy, and so grandson of Richard, Duke of Normandy, by a wife named Maud, had three sons: Simon, Walter, and Richard. Walter, the second of these, married Margaret, daughter of Ralph de Toney, a descendant of William FitzOsborn, Earl of Hereford in the time of William the Conqueror. FitzOsborn had built Clifford Castle on the river Wye, in Herefordshire; this passed with Margaret de Toney to her husband, Walter FitzPonce, who settled there and took the name of De Clifford from his residence. This Walter de Clifford had a family; one of his daughters has earned for herself immortal fame as the Fair Rosamond, mother by Henry II. of William Longespee, Earl of Salisbury; a younger son of this Walter was the progenitor of the Cliffords of Frampton, in county Gloucester; the eldest, also called Walter, continued the line at Clifford's Castle, and his grandson was the Roger de Clifford the elder whose son, Roger de Clifford the younger, married the elder of the two Veteriponte heiresses. Little more remains to be said of Roger de Clifford the younger beyond what has already been said; his paternal inheritance was the manor of Temedbury, lying in the counties of Worcestershire and Herefordshire, and Henry III. gave him estates in Monmouth, but his great advancement in life was his marriage with the Westmorland heiress.

Of Robert de Clifford, son of Roger and Isabella, it has already been stated that he was a minor eight years old at his father's death. He was at an early age placed in high office, being Lord Warden of the Marches when but twenty-three years of age. He was subsequently King's Lieutenant, and Captain-General in Cumberland, Westmorland, Lancashire, and the Marches towards Scotland; Lord High Admiral of England, and Earl Marshal; a justice of the King's forests north of Trent, and he was one of the four guardians appointed by



Edward I. for his son Edward. Robert de Clifford had from Edward II. a grant of the castle and barony of Skipton in Yorkshire, on condition of surrendering the property in Monmouthshire he had inherited from his father. He was killed at the battle of Bannockburn, in 1314, in his fortieth year. Two sons succeeded him in succession: first Roger, who sided with the barons and was severely wounded at the battle of Boroughbridge; some accounts say that he was executed at York with others, but he seems to have escaped that fate, and to have survived until 1327. His lands were of course forfeited, and some of them were granted to Sir Andrew de Harcla. De Harcla forfeited them for alleged treason, and the whole of the estates were restored to Roger de Clifford a month before his death. He never married, but had some children by one Julian, who gave name to Julian's Bower, near Whinfell. Robert de Clifford, son of Robert, succeeded his brother Roger, and seems to have lived for the most part a country life. During his time the barony of Appleby was reunited in him by the death of his great-aunt, Idonea de Veteripont. He died 1344.

It would be monotonous and out of place here to go through the exploits, honours, and alliances of all the Cliffords who enjoyed the broad lands of the barony of Appleby and the hereditary sheriffwick of Westmorland; those interested can find the details in the pages of Nicolson and Burn, or of Hodgson. The Cliffords were a race of singular energy, which found vent for itself in fighting, in adventure, in building, in litigation, in extravagance and gallantry, and frequently in rebellion against their Sovereign, for which their lands were forfeited, to be sooner or later restored by some turn of the wheel of fortune. That one of them should die in his bed was an infrequent variation on their usual practice of being slain in battle. John, Lord Clifford, known as the

"Blackfaced Clifford" and as the "Butcher," earned the unenviable reputation of being a "tyraunt and no gentleman," for that he slew in cold blood, after the battle of Wakefield, the young Earl of Rutland, son of the Duke of York, a lad, 'tis said, of but twelve years old and girlish appearance, though some writers make out the Earl to have been seventeen or eighteen, and capable of bearing arms. For this cruel deed, John Lord Clifford was attainted, and his lands and honours forfeited; he was slain at the battle of Towton in 1461, and the following is the inquisition *post mortem* upon him:

The jurors find—That he was attainted of high treason by virtue of an Act of Parliament in the 1 Ed. 4. That he died on Palm Sunday in that year; and held nothing in any county.

He was in his twenty-sixth year when he died, leaving two sons, of whom the eldest was seven years old. Fearful for their safety, their mother concealed these boys, sending the younger abroad, where he died, while of tender years; Henry was brought up as a shepherd in Yorkshire or Cumberland, ignorant of his rank and without education, though tradition says that in his shepherd life he acquired considerable astronomical knowledge. When thirty-five years of age he was restored to his estates and honours by Act of Parliament in 1 Henry VII. He acquitted himself well in his new position, but seems to have felt out of place in London, and to have preferred to live in the country, where he occupied himself in repairing and rebuilding his numerous castles; he fought at Flodden, and died in 1523, being about seventy years of age.

In him the savage virtues of his race,
 Revenge and all ferocious thoughts, were dead.
 Nor did he change, but kept in lofty place
 The wisdom which adversity had bred.

Glad were the vales, and every cottage hearth ;
The shepherd lord was honoured more and more ;
And ages after he was laid in earth,
"The good Lord Clifford" was the name he bore.¹

The shepherd-lord was succeeded in his estates and honours—including, of course, the hereditary sheriffwick of Westmorland—by his son Henry, then about thirty years of age ; two years later the new Henry Lord Clifford was created Earl of Cumberland by Henry VIII., and at a later date Knight of the Garter. Further favour was conferred upon him by the marriage of his son, also named Henry, to Elianor Brandon, daughter of the Duchess of Suffolk, and so niece to the King. In due time the lucky bridegroom succeeded to the estates and honours of his family, including the earldom of Cumberland. A royal bride is apt to be an expensive luxury, and both the first and second Earls of Cumberland wasted their estates, and the second alienated the old Clifford property of Temedbury Manor. By his royal bride he had no issue that lived except a daughter, married to the Earl of Derby ; for his second wife he married, at Kirkoswald, Anne, a daughter of William Lord Dacre of Gilsland and Graystock, a lady of whom it is said she was never in London in her whole life. Two of her sons, George and Francis, were Earls of Cumberland in succession. George Clifford, Baron of Appleby, hereditary Sheriff of Westmorland and third Earl of Cumberland, succeeded to these honours when a lad in his twelfth year ; when nineteen he married in London, in the year 1577, the Lady Margaret Russell, youngest daughter of his guardian, Francis, Earl of Bedford. He was one of the peers who were commissioned to try Mary Queen of Scots, and was one of those peers sent to superintend her execution. He was of a roving and adventurous disposition, alike a soldier and a sailor, an

¹ Wordsworth : "Song at the Feast at Brougham Castle."

land. She relied upon the entail by King John in the original grant to Robert de Veteriponte, and the heirs of his body by his then wife; on the like grant by Edward III. to the two daughters of the second Robert, Isabella and Idonea; on the forfeiture of their father; and on the Act of Parliament of 1 Henry VII., which restored the shepherd-lord to his estates and honours. She and her daughter had much to contend against—the hostility of the King, James I., the rapacity of her uncle, and the folly of the daughter's husband, Lord Buckhurst, who agreed with Earl Francis and that Earl's son to submit the matter to the King's arbitration; to that the Lady Anne steadfastly refused to consent, nor could the King himself, at an audience, browbeat her into submission. The Countess and her daughter were defeated all along the line—in the arbitration that was forced upon them, in the Court of Chancery, and in the courts at York; Earl Francis obtained possession of the estates, and he and his son kept possession of the same till the death of the said son without issue male, in 1643; by his death the Lady Anne became entitled to the estates, both as heir to her father and also as next in the entail; she also succeeded to the hereditary sheriffwick of Westmorland, while the title of Earl of Cumberland, being only to heirs male, became extinct. Spite of one's sympathies being with the Lady Anne, a lawyer cannot but think the King and the courts were right in their decisions.

The Lady Margaret Russell, Dowager Countess of Cumberland, died on May 24, 1616, at the Castle of Brougham, in the same room in which her husband was born. She was interred in the parish church of St. Lawrence, Appleby, and not in the family vault in Skipton Church; a noble monument was placed over her remains by her daughter.¹

¹ The burial-place of the Cliffords had previously been Skipton, and formerly Shap.

The Lady Anne Clifford was the sole surviving issue of her parents—the last and noblest daughter of a princely house, and the greatest lady of her age. She was born at Skipton on January 30, 1589-90. Her infancy and her youth were watched over by her loving mother, who seemed to live for her sake alone; the celebrated Samuel Daniel was her tutor, and under his guidance she made rapid progress in her studies. She married for her first husband Richard Sackville, Lord Buckhurst, on February 25, 1609-10. He succeeded very shortly, by the death of his father, to the earldom of Dorset. The marriage was by no means a happy one, Lord Dorset being both prodigal and licentious; five children were the issue of the marriage, of whom three were sons, and two daughters; of these, the sons all died in infancy; the younger daughter, Isabella, married James Compton, Earl of Northampton, to whom she had six children, who all died without issue, and mostly very young. The elder daughter, Margaret, married John Tufton, Earl of Thanet; Margaret thus became the sole heir of the Cliffords, and carried their estates and the sheriffwick of Westmorland into the Tufton family. The Earl of Dorset died in 1624, and in 1630 the Lady Anne married Philip Herbert, Earl of Pembroke and Montgomery. He was, however, a spendthrift and a libertine, and the Lady Anne's second marriage was no happier than her first; Lord Pembroke died in 1650, and left his wife a free woman. Canon Raine says:

The Lady Anne was once more a widow and her own mistress. She had now fortunately a wide field for her generosity and magnificence. Seven years before the decease of her last husband death had won for her a vast inheritance, the object of her early hopes and energies—the ancient lands of the house of Clifford. The last Earl of Cumberland having died without issue male, all the extensive possessions of his family reverted to the Countess of Pembroke. To these northern estates the Countess retired, and there she passed the remainder of her life. She now went about doing good—in a time, too,

when perfidy and suspicion had taken the place of generosity and benevolence. She found her northern houses ruinous and dismantled ; but she restored them all, in spite of Parliament and Protector. The castles of Skipton, Appleby, Brougham, Brough and Pendragon, and the tower of Bardon, were all renovated by her ; and the churches and chapels of Appleby, Bondgate, Brougham, Ninekirks and Mallerstang were rebuilt or restored by her benevolence. I cannot now speak of the almshouses she founded, and her many other charitable works, which have made her name illustrious. The last twenty-five years of her life were spent in the castles of her ancestors, happy in the presence of her children's children, and scattering her benevolence with no sparing hand, simple in her grandeur and lowly in her exaltation.¹

Spite of her benevolence, she was most tenacious of her rights, and spent over £4,000 in protracted litigation with her tenants in Yorkshire, and, as she had once before refused the arbitration of James I., so now she refused that of Oliver Cromwell. She spent over £200 in suing one Yorkshire tenant for a single boon hen. She spent in building operations £40,000, and when told that Cromwell would pull her restored castles down, she declared that she would rebuild them as fast as he should destroy them. He, however, declined to interfere. No threats of sequestration could induce her to dispense with having the liturgy of the Church of England read daily in her private chapel. She employed Mr. Roger Dodsworth, the antiquary, to search the records in the Tower of London, and the Rolls, for anything that concerned her ancestry, and she caused to be compiled a summary of these records, which still exists in manuscript ; to this she added a most interesting account of herself, her doings, and her modes of life. The space at our disposal forbids us from quoting therefrom, but it is to be wished that these manuscripts could be printed and published.² The summary is headed as follows :

¹ From "Anne, Countess of Pembroke, Dorset and Montgomery," *Archæologia Æliana*, N.S., vol. i., p. 1, by the Rev. Canon Raine.

² The originals are probably at Appleby Castle ; copies, or what pur-

Norman Settlement: II.—Barony of Appleby. 111

A Summary of the lives of the Veteriponts and Cliffords and Earls of Cumberland and of Anne Countess Dowager of Pembroke Dorset and Montgomery & Daughter and Heir to George Clifford Earl of Cumberland in whome the name of the said Cliffords determined.

The Countess died March, 1675, aged eighty-seven, and was interred in St. Lawrence Church, Appleby, near the mother to whom she was so much attached. A pillar on the roadside near Brougham Castle commemorates the last parting between the two.¹

We have almost omitted to mention that, as hereditary Sherifffess of Westmorland, she sat on the bench with the judges at assizes; that she was "high SHERIFFESS by inheritance of ye county of WESTMERLAND" is inscribed on her coffin plate.² The following is the Countess's account of herself:

I was very happy in my first constitution both in my Mind and Body both for internal & external endowments for never was there a Child more equally resembling both Father and Mother than myself, the colour of mine eyes was black like my Fathers & the form and aspect of them was quick & lively like my Mothers, the Hair of my head was brown and very thick and so long that it reached the calf of my leggs when I stood upright with a peak of Hair on my fore head & a dimple on my chin like my Fathers, full cheek & round faced like my Mother and an exquisite shape of Body resembling my Father, but now time and age hath long since ended all these Beauties which are to be compared to the Grass of the field as Isaiah c. 40, v. 6, 7, 8 "The voice said cry" etc. 1 Peter c. 1, v. 24 "For all flesh is as grass" etc. for now when I caused the Memorials of myself to be written I have

port to be copies, are in private hands: one is in the *Bibliotheca Jacksoniana*, in Tullie House, Carlisle.

¹ In April, 1616. The Countess Dowager died shortly afterwards.

² For accounts of this celebrated lady, see Atkinson's "Worthies of Westmorland"; Coleridge's "Northern Worthies"; Nolle and Grainger's "Biographical History of England"; Gilpin's "On the Picturesque"; Ballard's "Memoirs of Illustrious Ladies"; Nicolson and Burn's "Westmorland"; Whitaker's "Craven"; Canon Raine, *et ante*; "The Diary of a Westmorland Lady"; and "Papers and Pedigrees," by the late W. Jackson, F.S.A., published by the Cumberland and Westmorland Antiquarian and Archæological Society.

passed the 63rd year of my age and though I say it the perfections of my mind were much above those of my Body. I had a strong and copious Memory a sound judgement and a discerning Spiritt & so much of a Strong imagination in me that many times even my Dreams & Apprehensions beforehand proved to be true so as old Mr. John Denham, a great Astronomer that sometime lived in my Fathers house would often say that I had much in me in Natur to shew that the sweet influences of the Pleyades & the bands of Orion, mentioned in the 38th c. of Job v. 31, & 32 & 33 were powerful both at my Conception and Nativity—"Canst thou bind" etc.

It is certain that the Countess had a very good opinion of herself. It is equally certain that, like Rob Roy, she was "vary guid to her freends, and vary ill to her foes."

The Tuftons, who succeeded to the Cliffords' estates and to the hereditary sheriffwick of Westmorland, derive their name from a manor in Sussex, but were at a very early date landowners in Kent. John Tufton was of Hothfield, in Kent, in 30 Henry VIII., and was Sheriff of that county in 4 Elizabeth. His son and heir, John, was Sheriff in 18 Elizabeth, and was included by James I. in his first batch of baronets. His son and heir, Nicholas Tufton, was made Lord Tufton of Tufton, in Sussex, in 2 Charles I., and in 4 Charles I. Earl of Thanet. His son John, second Earl of Thanet, married Margaret, eldest daughter of Lady Anne Clifford by her first husband, the Earl of Dorset, and had six sons—Nicholas, John, Richard, Thomas, Sackville, and George. Of these, the first four and the son of the fifth were in succession Earls of Thanet. Their mother, Margaret, Countess of Thanet, survived her husband about twelve years, and her mother, the Lady Anne Clifford, only a few months, being then, in the events that had happened, sole heir of the Clifford estates. By her will she bequeathed these to her second son, John, with remainder to her third, fourth, and other sons. She died in 1676, and John succeeded to the Clifford estates. In 1679 he also succeeded to the earldom of Thanet, but, dying in 1680,

all the honours and estates enjoyed by him devolved in rapid succession, first on his brother Richard, and then on his brother Thomas, who enjoyed them from 1683 to 1729. This Earl of Thanet established his claim before the House of Lords against an heiress of Henry, the fifth and last Earl of Cumberland, to the title and barony of Clifford. All his sons died in infancy, and the title of Clifford fell into abeyance among his three daughters. The abeyance was terminated by the Crown in favour of one of the daughters, Margaret, who had married Thomas Coke, Earl of Leicester. It again fell into abeyance, which was terminated in favour of a descendant of another sister. Earl Thomas was Lord-Lieutenant of Cumberland and Westmorland and of Shropshire, but was removed from those offices by James II. He was remarkable for his generosity to churches and schools in Yorkshire and Westmorland, and is said to have devoted £1,500 a year to charities. He dismantled Brougham and other of his numerous castles, which must have been costly incumbrances on the estates. He was succeeded as Earl in 1729 by his nephew, Sackville Tufton, the first of three Sackville Tuftons—father, son, and grandson—who covered the period from 1729 to 1825. The first of these three, the seventh Earl of Thanet, had great and protracted litigation with his customary tenants as to the fines payable to their lord, and as to the tenant-rights within his manors in Westmorland. During the trial the tenants produced at Westminster eleven witnesses whose united ages were over a thousand years; the proceedings covered many years, but a final settlement was arrived at.¹ The last of these earls, Sackville, was followed in succession by his brothers, Charles and Henry respectively, as tenth and eleventh Earl of Thanet. Henry, the eleventh Earl, was the last surviving male heir of his family, and the

¹ Nicolson and Burn, vol. i., pp. 306, 307.

honours became extinct on his decease in 1849 without issue. He devised his estates and the sheriffwick of Westmorland to Mr. Richard Tufton. The devise of the sheriffwick was of doubtful legality ; and it was contested by the Rev. Charles Barham, eldest surviving son of the Earl's sister, Lady Caroline Tufton, and her husband, John Foster Barham, of Trecwin, Pembrokeshire. By Act of Parliament the sheriffwick of Westmorland was put on the same footing as in other counties, and Mr. Richard Tufton was compensated by a baronetcy. To him succeeded his son, Sir Henry Tufton, now Lord Hothfield, the present owner of the Clifford estates and lord of the barony of Appleby.





CHAPTER IX.

THE NORMAN SETTLEMENT: III.—THE BARONY OF KENDAL.

IN a previous chapter of this book we have shown that one Yvo Talboise,¹ an Angevin, had a grant from William Rufus of the district of Amounderness, which included the Deiran portion of modern Westmorland, or the barony of Kendal.² In the last chapter but one we have shown, from the Pipe Rolls, that Richard I. granted the barony of Kendal to Gilbert FitzReinfrid by charter, under which Gilbert held the barony with the fishery, by the service of two knights, and freed from noutgeld.³ In that chapter we have also shown that the whole of Westmorland came into the hands of the Crown in the reign of Henry I., when Ranulf Meschyn succeeded to the earldom of Chester, and that it remained in the hands of the Crown until the end of that reign; that during the reign of Stephen it was in the hands of the

¹ Yvo Talboise has been selected by two novelists as the very type of the Norman oppressor. Craik, in his "Camp of Refuge," and Kingsley, in his more popular "Hereward the Saxon," have both chosen Yvo as the impersonation of the Norman plunderer, as contrasted with Hereward, the perhaps somewhat idealized type of the struggling Saxon. See "The Curwens of Workington Hall," by William Jackson, F.S.A., *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. v., p. 183.

² *Ante*, p. 74. The barony of Kendal included the present Kendal and Lonsdale wards, and also part of Lancashire.

³ *Ante*, p. 91.

King of the Scots ; that during the reign of Henry II. it was either in the hands of the Crown, who got by the Sheriff of Yorkshire what could be got from the county, or else it was in the hands of a subject, Theobald de Valeines ; further, that it was again in the hands of the Crown by seizure in 1 Richard I. During this time the barony of Kendal was held, not of the Crown, but of the honour of Westmorland, by the De Lancasters, who derived their title from Roger de Mowbray in the reign of King Stephen, and he from his father Nigel de Albini.¹ Gilbert FitzReinfrid was the first to hold the barony of Kendal direct from the Crown ; he lived through the reigns of Richard I. and John, and died in the year 1220, early in the reign of Henry III. He was the son of Roger FitzReinfrid, a justice itinerant in 22 Henry II., a justicier from the 25th of that King to 10 Richard I., and Sheriff for the counties of Sussex and Berkshire. His mother was Rohaise, niece of Ranulph, Earl of Chester, and widow of Gilbert de Gaunt, Earl of Lincoln. By marriage with Helwise, the heiress of the De Lancasters, Gilbert FitzReinfrid acquired their property in the barony of Kendal. His son William assumed his mother's name, was known as William de Lancaster (the third of that name), and married Agnes de Brus. For the convenience of our readers we give a tabular pedigree, prefixing in italics the steps by which some writers make out that William de Lancaster was descended from Yvo Talboise, and so inherited the barony of Kendal from him. That is not so. Mr. Hodgson-Hinde and Dr. Whitaker decline to accept this head of descent. The first says :

Ketel, the son of Eltred, Yvo de Talboise, and William de Lancaster, all appear from the chartulary of Saint Mary's (at York) to have been benefactors of the abbey, and an ignorant monk has joined their names as links in one pedigree.

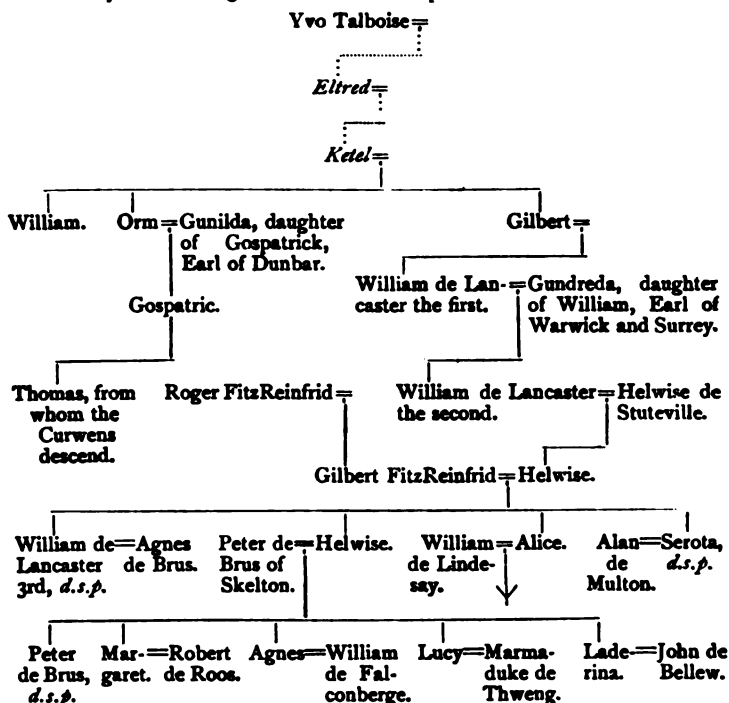
Dr. Whitaker points out that the introduction of the names Eltred and Ketel as those of the son and grandson

¹ *Ante*, p. 91, n. See "The Introduction to the Pipe Rolls," *ut ante*, pp. xlv., xlvi. ; also "Dutchetiana," p. 150.

of Yvo "is, if true, a remarkable instance of the adoption of Saxon names into a Norman family." Sir George Duckett doubts the descent between Yvo and Eltred, but maintains the rest.¹

The real truth is the De Lancasters got the barony from the Mowbrays, and held it, not of the Crown, but of the honour of Westmorland. Mr. Hodgson-Hinde says :

Kendal at this period was clearly held of the honour of Westmorland, as it had been previously of the Mowbrays, Gilbert FitzReinfrid being the first who held it directly of the Crown. Although the Lancaster family were the possessors of the soil, they did suit to the shire courts of Westmorland, and paid to its lord cornage and customs, as appears both from the Pipe Rolls and from the charter of Richard I. The fishery also belonged to the feudal superior.²



¹ "Introduction to the Pipe Rolls," etc., *ut ante*, p. xliv. ; "Duchetiana," pp. 136, 137.

² "Introduction to the Pipe Rolls," *ut ante*, p. xlii.

Gilbert FitzReinfrid and Helwise, his wife, had one son, William, who took his mother's name and called himself William de Lancaster; he married Agnes de Brus, and died without issue. He had three sisters: Helwise, who married Peter de Brus of Skelton; Alice, who married William de Lindesay, and Serota, who married Alan de Multon, and dying without issue goes out of the story. The barony of Kendal was thus early divided into two moieties, one of which was "heired" by the De Bruses and the other by the De Lindesays. The descent of these moieties we must now briefly trace, leaving the curious in the minutiae of pedigrees to refer for further information to Nicolson and Burn, or Hodgson. The moiety inherited by the elder sister, Helwise, became presently further subdivided into two quarters, known for reasons which will appear presently as the Marquis and Lumley Fees. The moiety inherited by the younger sister, Alice, remained more entire, and acquired the name of the Richmond Fee; we will take it first.

Alice de Lancaster married William Lindesay, and carried her moiety into that family; including her husband, four De Lindesays in direct succession enjoyed it, the last of whom, also named William, left an only daughter, Christian, married to an alien, Ingelram de Guisnes, Lord of Coucy in France; by him she had two sons: William the elder, born in France, and therefore an alien incapable of inheriting landed estates in England; and Ingelram the younger, born in England, but who died without issue; this moiety of the barony of Kendal therefore escheated to the Crown.

Now, William the alien had two sons, Ingelram the elder and William the younger, both born in France and in allegiance to the King of France. Ingelram inherited his father's estates in France, and William had a grant from the English Edward III. of his grandmother Christian's moiety of the barony of Kendal, but dying

without heirs, it for a second time escheated to the Crown. Edward III. in the 21st year of his reign granted it to John de Copeland of Wooler, in Northumberland, and Johanna his wife, for their lives and the life of the longest liver as part of the rewards conferred upon John de Copeland for having captured, in 1346, at the battle of Neville's Cross, David II. of Scotland. Now, the Ingelram de Guisnes, or De Coucy, as the family came to be called, who inherited his father's French estates, had a son, also Ingelram de Coucy, married to Isabel, daughter of Edward III. of England; that Sovereign very naturally granted to his daughter and her husband the reversion of the English estates of the De Coucys, including one moiety of the barony of Kendal. On the death of Johanna de Copeland, this moiety fell in to Ingelram de Coucy, then Earl of Bedford, and Isabel his wife, from whom it descended to their daughter Philippa, wife of Robert de Vere, Earl of Oxford, from whom she was divorced for lack of children. She died in 1412, and this moiety of the barony of Kendal again reverted to the Crown. It was granted by Henry IV. to his third son, John, Duke of Bedford, and on his death in the reign of Henry VI. it again reverted to the Crown, and was granted to John de Beaufort, Duke of Somerset, grandson of John of Gaunt, and great-grandson of Edward III. and his heirs male; but as he died in the year of the grant without issue male, it immediately reverted to the Crown. It was next granted to the Duke's daughter and heiress Margaret, Countess of Richmond; from her it descended to her son Henry VII., and by Henry VIII. it was granted as a provision to his illegitimate son Henry, Duke of Richmond and Somerset; by his death without issue this moiety for the eighth time reverted to the Crown. It thus acquired the name of the Richmond Fee, and it may be well to bear in mind that the Richmond Fee is a moiety of the barony of Kendal,

Here for the present we leave the history of the Richmond Fee.

Helwise, daughter of Gilbert FitzReinfrid, married Peter de Brus de Skelton, and carried the other moiety of the barony of Kendal to that family. She had one son, Peter de Brus, who inherited the moiety, but, as he died without issue, his estates were divided between his four sisters: 1, Margaret, married to Robert de Ross or Roos; 2, Agnes, married to Walter de Falconberge; 3, Lucy, married to Marmaduke de Thweng; 4, Laderina, married to John de Bellew or de Bella Aqua. Agnes was provided for by property elsewhere than in Westmorland; Laderina got Kentmere, in Westmorland, and nothing elsewhere in that county; with that exception Margaret and Lucy divided this moiety of the barony of Kendal between them, Margaret, as the elder sister, taking the Castle of Kendal, as her mother Helwise for a similar reason had done on the division of the whole barony; Margaret de Roos, by the way, was a widow when the partition took place. After five descents, an heiress, Elizabeth Roos, who was born in 1357, married Sir William del Parre, and succeeding in 1390-91 to the estates of her grandfather, Sir Thomas de Roos, carried this fourth part of the barony of Kendal to the Parres, or Parrs, in whom it remained for four or five descents, devolving upon Sir Thomas Parr, Master of the Wards and Comptroller to King Henry VIII. Sir Thomas had one son and two daughters, of whom the elder, Katherine, was married as sixth wife to Henry VIII., and the younger, Anne, to William Herbert, Earl of Pembroke. His son William rose to great honours; in 30 Henry VIII. that monarch made him Lord Par and Ross of Kendal, and in 35 of the same reign Baron of Hart, in Northamptonshire; he married Helena, daughter and heir of Henry Bouchier, Earl of Essex, and was immediately made Earl of Essex and a K.G., and in 1 Edward VI. he was made Marquis of

Northampton ; hence this part of the barony of Kendal came to be called the Marquis Fee, being about a fourth part thereof. The Marquis himself died in 1521 without issue, and his widow had the whole of the Marquis Fee assigned to her for dower, but presently exchanged it with Queen Elizabeth for other lands.

The Queen thus had in her hands both the Richmond and Marquis Fees, or three-fourths of the barony of Kendal. She granted the Castle of Kendal and the demesne lands to Ambrose, Earl of Warwick, to be held in socage of the manor of West Greenwich. From him the castle and lands passed through various owners, and were ultimately purchased by the trustees of Alderman Thompson, M.P., and became the property of his grandson, the late Earl of Bective. In 1613 James I. granted the Richmond and Marquis Fees, thus somewhat shorn, to his son Charles, Prince of Wales. Some curious and interesting litigation shortly afterwards took place, which will be dealt with in a succeeding chapter. By Charles II. these fees were settled, with large estates in Cumberland, as the dower of Queen Katherine of Braganza, from whom the Richmond and Marquis Fees got the names of the "Queen's Lands." On the death of Queen Katherine these fees were leased to the Lowthers, who ultimately purchased them out and out, and now hold them.

The history of the remaining one fourth part of the barony, the Lumley Fee, has yet to be told. It possesses little interest : Lucy de Brus by marriage with Marmaduke de Thweng carried it into that family for some four turns ; then the family ended in three coheiress, of whom one, Lucy de Thweng, married Marmaduke de Lumley and got one half of the fourth part of the barony, which descended to John, Lord Lumley, who exchanged it with Henry VIII. for lands in the South of England : Henry VIII. granted it to the Duke of Richmond and Somerset,

in whose test it reverted to the Crown, and was granted to Alan Bellingham of Levens. Margaret de Thweng got the other moiety of this fourth part of the barony of *Seaton* and her daughter by whom is uncertain) carried it to the *Forbes*, who sold it to Alan Bellingham of *Levens*, grandson of Alan Bellingham just mentioned, who thus got the whole of this quarter of the barony of *Seaton*: it acquired the name of the *Lumley Fee*, though not if it was never in the *Lumleys*. Another Alan Bellingham sold the *Levens* property and the *Lumley Fee* to *Thomas James Graham*, whose daughter and heir, *Katherine*, married *Henry Bowes Howard*, Earl of *Arundel*, from whom it has come down to the present owner of *Levens*.

In 1564 a rental of the *Richmond* and *Marquis Fees* was made for *Queen Elizabeth*, when it was ascertained that the yearly rents of the *Richmond Fee* consisted of customary and free rents payable by the following places:

	£	s.	d.
<i>Chiswick</i> — — —	11	11	3
<i>Uxbridge</i> — — —	7	12	5½
<i>Windsor</i> — — —	2	16	1
<i>Windsor</i> — — —	26	17	0
<i>Windsor</i> — — —	13	8	0
<i>Windsor</i> — — —	27	0	10
<i>Windsor</i> — — —	24	10	10½
<i>Windsor and Mary of Warrington</i> — — —	6	0	0
<i>Windsor and Lych</i> — — —	19	3	7
<i>New House</i> — — —	10	9	9½
<i>Windsor</i> — — —	12	9	4
<i>Windsor, Kent and Hedingham</i> — — —	3	10	10
<i>Windsor, Warrington and Meringhill</i> — — —	12	14	10
	£171	4	10½

A "free rent" is a rent reserved without clause of distress.

The yearly rents¹ of the Marquis Fee consisted of;

			£	s.	d.
Burgage rents in Kendal	...	...	9	17	11
Customary and other dry rents :					
Kendal and its vicinity	...	...	4	0	0
Grasmere	...	...	11	6	2
Langdale	...	...	5	14	11
Underbarrow	...	...	20	8	1
Staveley and Hugill	...	...	9	3	7½
Nethergraveship	...	...	10	16	3
Scalthwaiterigg	...	...	12	5	0½
Hay	...	...	13	3	3
Hutton-i'-the-Hay	...	...	8	18	2½
Strickland Roger	...	...	13	14	11
Greenhead	...	...	10	16	10
Hugill	...	...	3	19	9
Crosthwaite	...	...	0	15	0
			£134 10 4½		

It appears that lands in Grasmere and Langdale are held of both the Richmond and Marquis Fee. These rentals are given in Nicolson and Burn as contained in a valuation made by Sir John Otway in 28 Charles II.; but in the Richmond Fee there is an additional sum for free and dry rents of several tenants throughout the fee of £36 10s. 8½d., making a total of £204 15s. 7d.; in the Marquis Fee there is a similar additional sum of £20 17s. 4½d., making a total of £155 7s. 9½d. There is no valuation accessible of the Lumley Fee at these dates, and so a comparison cannot be made. It is evident, however, that the Marquis Fee, only one fourth part of the barony, must have increased in much greater proportion than the Richmond Fee, which is one half. The Lumley Fee is said to consist of the manor of "Helsington with the appurtenances, together with

¹ These rentals are given in a paper, "The Barony of Kendal and Manor of Hawkshead," by W. Hopes Heelis, *Transactions, Cumberland and Westmorland Association for Advancement of Literature and Science*, part iv., pp. 95, 96.

Stavely, Sapgill, Hugill, Respton and Langden.”¹ The recurrence of the same names in each of the three fees, and the way in which the names are scattered over the barony (the present wards of Kendal and Lonsdale), seem to indicate that the original division was not made geographically, but by each party alternately picking and choosing, as if they had tossed up or drawn lots for first choice. The districts for which the competition seems to have been keenest were from Grasmere round the head of Windermere to Kendal, and between Kendal and Windermere.

¹ Hodgson's "Westmorland," p. 185.





CHAPTER X.

THE BORDER TENANT RIGHT.

MR. ELTON, Q.C., in his valuable little book on "Custom and Tenant Right,"¹ describes in the following words the history of a manor as it appears in the law books :

An absolute monarch, so the fiction goes, gave the territory to the ancestors of the lord to deal with it exactly as they pleased ; who thereupon gave a part to their fighting men, so long as they should behave well in the wars ; another part to the Church, that the priests might pray for their souls ; another portion to the free-labourers and serfs, who were to cultivate the lord's domains ; and all the rest they kept for themselves ; so that the lord of our day is in law the owner of everything "upwards to heaven and downwards to the centre of the earth," except such property and rights as by grant or custom may have been conferred upon the tenants and commoners. These great personages, we are told, were allowed the privilege of keeping courts where they might redress misdemeanour within their precincts, and punish the offences committed by their tenants, or decide and debate all controversies arising within the limits of their jurisdiction.

Mr. Elton calls this "high-prerogative doctrine," and "skimble-skamble stuff," using Hotspur's phrase. But Mr. Elton continues :

We find when we consider the historical evidence that the original manors were districts which we call by that name when speaking of the tenants, or townships when we regard the inhabitants, or parishes in matters ecclesiastical. We cannot, of course, determine now the

¹ Published in 1832 by Wildy and Sons, London.

of the manor. The modern representatives of these men are the copyholders of the kind with which we are most familiar, who in the language of the law are called "tenants by copy of court roll at the will of the lord, according to the custom of the manor."¹ In form, the conveyance of a copyhold estate is to this day a surrender to the lord of the manor, who admits the nominee of the tenant upon the court roll as the new tenant, his right of veto having ceased to exist, although for a long time it was in active operation; by custom, copyhold estates follow freehold in their method of descent. This is tenure in pure *villenage*. But the tenants of the Westmorland manors sprung from free communities held by a superior tenure, privileged *villenage*; their services were fixed and certain, and their estates passed by grant and livery, *i.e.*, by ordinary deed of conveyance, and the purchaser is admitted tenant upon the court roll, not to complete the conveyance, but for purposes of registration, and that the lord might know who was his tenant; in fact, the tenants of the Westmorland manors had a tenant right in their estates, known as the Border Tenant Right. They paid small fixed rents for their estates, but held them, it was generally considered, on condition of providing a certain number of horsemen, bowmen or javelin men for services against the Scots whenever it was required, this service, however, being limited to forty days in the year. Certain fixed payments were made by them on the death of the lord. These customary estates are considered equal to freehold.

This tenure prevails in the north of Yorkshire, in Lancashire Over-Sands, the south-west portions of Durham and Northumberland, and over the whole of Cumberland and Westmorland—in fact, wherever the moss-troopers and marchmen were bound to the border service. One or two other peculiarities are attached to

¹ Elton's "Custom and Tenant Right," p. 25.

this tenure : the widow receives for her dower the whole of the profits of a customary estate for life, and not a mere third share ; subject to this, the estate descended to the eldest son ; if there was no son, but daughters, then it descended to the eldest daughter, to the exclusion of her sisters.¹ The reason of this deviation from the law of descent in case of freeholds was the wish to avoid breaking up estates, many of which contributed only one man to border service ; it would be awkward and productive of delay if a widow and her eldest son had to produce a man by thirds, or several married sisters by yet smaller shares.

After James I. had succeeded to the crown of England, it occurred to his mind that by the union of the two kingdoms under his august sway the necessity for, and the liability to, border service had ceased ; that being so, the consideration by which the tenants by border service held their estates had failed, and the estates themselves had determined. Being distressed for want of money, he resolved to take into his own hands all the customary lands in the Crown manors in Westmorland and Cumberland on the pretence just mentioned. At the same time he encouraged all the other lords of manors within the said counties to take to themselves the absolute estate of the several tenants within their respective manors, and to refuse to admit the heirs to their ancestors' estate. In pursuance of this doctrine, the Prince of Wales in 16 James I. filed a bill in Chancery against the tenants of the manors included in the Richmond and Marquis Fee, complaining that the tenants claimed by colour of a tenant right estate, under certain yearly rents, to have an estate of inheritance in their respective tenements ; whereas it was conceived that their estates in

¹ " Customary Tenure in Westmorland," by G. Gatey, *Transactions Cumberland and Westmorland Association*, part xi.

the premises were of no such force in law as they pretended.

The tenants put in their answer. But from the hazard of contesting with the King, who had the judges both of law and equity, in a considerable degree, at his devotion, and Sir Francis Bacon. Lord Verulam, presiding then in the Court of Chancery (who, notwithstanding his greatness in other respects, was as tame, submissive, and obedient to orders as any courtier could be), and at the same time a good round sum in hand appearing to be not unacceptable to the Prince, the matter was compromised, and for the sum of £2,700 he agreed to confirm unto them their custom, as set forth in their answer, which was in these words : "That they and their ancestors, and all those whose estates they severally and respectively had or claimed to have in the several messuages, lands, tenements, meadows, pastures, closes improvements,¹ mines, woods, mosses, commons, grass ngs, and other hereditaments, with the appurtenances, had, from time whereof the memory of man was not to the contrary been severally seised to them and their heirs, of a good and lawful customary estate of inheritance, to them and their heirs respectively, commonly called tenant right, according to the custom of the barony of Kendal and lands called Richmond Fee and Marquis Fee, in the several lordships, towns, hamlets, and places following, viz. : Gresmere, Langdall, Loughrigg, Clappersgate, Rawthy Bank, Ambleside, Briggasse, Troutbecke, Hallinge, Applethwaite, Undermilbecke, Windermere, Winster, Hugill, Riston, Riston meadows, Over Staveley, Nether Staveley, Strickland Roger, Laithead, Strickland Ketel, Garnett house, Mirkslacke, Helsington, Greenrigg, Underbarrow, Griggshall, Braithwaite close, Crooke, Crosthwaite, Lyth, Cawmire, Sipling meadows, New Hutton, Hay, Hutton-in-the-Hay, Skalthwaite Rigg, Nethergraveship, Gilthwaite Rigge, Greenhead, Casterton, Kirkby Kendal, Long Steddell, and Sadgill and elsewhere in the barony of Kendal. Which their customary inheritance is descendible after the course of descents at common law ; save only where a customary tenant dieth, having no male heir of his body, his customary lands descend to the eldest daughter, sister or cousin, and not to all the daughters, sisters, or heirs female, as coparceners. For which premises they had been accustomed to pay certain yearly rents or fines, namely two years' old rent only for a fine certain upon change of lord by death, and three years' old rent only upon change of tenant by death or alienation ; except the tenants of Ambleside and Trout-

¹ "Improvements" are new enclosures.

beck aforesaid, who paid fines certain—viz., one year's rent upon change of lord by death and two years' rent upon change of tenant by death or alienation.¹ And upon the death of every tenant dying seised of a tenement, leaving a widow behind him, an heriot, for which she was to enjoy her husband's customary estates, during her widowhood only. And also by a l the time aforesaid they the said tenants, by the custom of the said barony respectively, had yearly made suit to the severall courts holden for his highness's said barony and lands called Richmond Fee and Marquis Fee, where they were and are called tenants, and being found by the jury, and paying their God's penny, for their several entries, were and are admitted tenants, and entered in the court rolls upon every such charge (*sic*) as tenants upon such fines as aforesaid paid respectively.²

The compromise for which the tenants had paid £2,700 was carried out by a decree in the Court of Chancery on November 14, 17 James I. (1619), which declared

that they shall hold and enjoy all the premises aforesaid, and all other easements, profits, commodities, and hereditaments, with the appurtenances whatsoever; together with all their ancient customs, usages, and liberties, to them, their heirs and assigns for ever. Yield-

¹ It has been suggested that the tenants of Ambleside and Troutbeck were thus favoured because on them fell the arduous task of guarding the road over Kirkstone Pass. Two roads only were open to Scotch moss-troopers by which they might invade the fertile lands of Lower Westmorland; viz., one by Dunmail Raise, the other by Kirkstone Pass. The former, however, had to be approached by means of narrow valleys, where much opposition would have to be met with from the inhabitants, and it did not afford nearly so tempting a means of approach as Kirkstone Pass, the way to which was over level country until Ullswater was reached, and then that valley, which was sparsely inhabited, afforded admirable means for a retreat. The result was that the duty of defending Kirkstone was by far the most serious one, and this naturally devolved upon the tenants of Ambleside and Troutbeck. See "Customary Tenure in Westmorland," *ut ante*, p. 129, n.

² Nicolson and Burn, vol. i., pp. 51, 52. The account there is no doubt from the pen of that able and accurate lawyer, Richard Burn, Chancellor of the Diocese of Carlisle, and author of the great standard authority on the duties of magistrates, "The Justice of the Peace." He also wrote a work on ecclesiastical law.

ing and paying the said fines, heriots, suit of court and services aforesaid ; and being subject to such other customs as in his highness's said barony, and the several manors or lordships and lands within the same, have been anciently used and accustomed.¹

This could hardly be expected to settle matters. The King had had his bite—£2,700 ; the manorial lords, whom he had set in motion, wanted theirs ; several of them ejected their tenants, and a crop of litigation ensued. The tenants would not submit. Though the border service had ceased, the border spirit had not. The tenants of the Richmond and Marquis Fees, on January 2, 1620, assembled, to the number of one hundred and over, in the churchyard of Staveley, in obedience to an order from James Smith, High Constable of the county, summoning them to view a bridge and to decide as to its repair—a mere pretence, as the tenants well knew—and Staveley was chosen as a central place convenient for the tenants. They passed the following resolutions :

1. That we and every of us, as in conscience we are bound, will stand to the general protestation by us taken, to the utmost of our and every of our abilities in every point.

2. Also, that to the utmost of our power we and every of us, at all times hereafter, will defend our own persons, families, and estates, and the persons, families, and estates one of another, as far as lawfully we may.

3. Also, if any person or persons shall plunder, or go about in violent manner, without due course of law, to take away the persons, families, or goods of any of us, it shall be reputed as done unto all of us ; And that upon notice given thereof to us, and every or any of us ; every man having notice and able to do service, shall and will, with all speed and expedition, repair to the persons or places so plundered, pillaged, or restrained of their liberty, and shall to our utmost power rescue such persons and goods.

4. Also, that if any of our goods or estates, real or personal, shall happen to be violently taken away contrary to law as aforesaid, if satisfaction cannot be gotten out of them who so took them, the loss thereof shall be equally born and restored to them so plundered, by

¹ Nicolson and Burn, vol. i., p. 52.

us all who have hereunto subscribed, who shall be equally rated according to every man's ability, by such persons or committees in every town, hamlet, and village, as shall be agreed upon by the more part of us or them who have subscribed to these presents, according to the true meaning hereof.¹

These tenants were men of business. Before they separated they appointed Samuel Knipe, probably an attorney, as their agent, and they made a subscription, or common purse. They also preferred a petition to the King to be allowed their custom of tenant right, and they got a Bill introduced in the House of Commons for that purpose; but it was rejected, so says Dr. Burn. In the Journals of the Commons I find two Bills, one introduced on February 26, entitled :

An Act for the Settling and Confirmation of the Customs of the Customary Tenants of the Prince, in his Lands called *Richmond Fee*, and *Marquis Fee*, within the Barony of *Kendall* in *Com' Westmorland*.

The second was introduced on the following day, and is entitled :

An Act for enabling and Confirmation of certain Lands and Tenements, within the County of Westmorland, to be customary Lands, and Tenements of Inheritance, according to the Purport of Decrees heretofore made, within the Space of Two Years last past, in the high Court of Chancery, or within Seven Years hereafter.

Apparently the Crown and the tenants both introduced Bills in their respective interests, and the Crown anticipated the tenants by one day. The Bills do not seem to have progressed. The King took the matter into his own hands, and on July 28, 1620, issued a proclamation suppressing all customary estates and abolishing all tenure by border service. Dr. Burn stigmatizes this proclamation as "one of the most flagrant exertions of despotism that is to be met with in English history," and therefore gives it *verbatim* as follows :

¹ Nicolson and Burn, vol. i., p. 53.

By the King.

A Proclamation against Tenant rights.

Whereas it hath been oftentimes by decrees and judgements at law declared and settled, that tenant rights since the most happy union of these two renowned kingdoms of England and Scotland in our person are utterly, by the ancient and fundamental law of this our own kingdom of England, extinguished and abolished; being but dependencies of former separation and hostility: and that there is like settled rule and constant practice in Scotland since the union: and yet nevertheless divers suits are constantly raised and prosecuted in our courts of justice here in England, grounded upon the said claim of tenant-right or customary estate of inheritance, under that pretence, whereby not only the memory of the said tenant right is continued, which ought to be damned to a perpetual oblivion, but also both parties do sustain needless charge and impoverishment, in questioning of that which is beyond all dispute, which may also (in regard of combination of tenants, and general taxes to pursue their landlords upon a common purse) open a way to turbulent and seditious attempts: We, out of our princely and never intermitted care to avoid these maintainings aforesaid, have both recommended the matter to all our judges, to suppress and surcease strifes and suits of this nature, and have also given an express charge and commandment to all the principal officers and ministers of ourself and our dearest son the Prince (near or bordering upon Scotland where such tenant-rights have been claimed) that they do let all estates, whether for lives or years, be it for fine or improvement of rent, by indenture only, and not otherwise, to the end to cease and discontinue the said claim. And further, to the end the same cause may be uniform and general amongst all our loving subjects, We do by these presents wish and expect from all our loving subjects in those parts, that they shall follow and conform themselves to the same example, for leasing such lands in manner aforesaid. But herewithal we do strictly command, that no entry in any court roll hereafter, either of our honours or manors, or of the Prince's or of any of our subjects, do mention any estate termed of tenant-right or customary estate pretended for border service. On the other side, our express pleasure is, that good and dutiful tenants, who shall willingly submit themselves to such estates, be used with all favour and moderation, as we doubt not but the landlord will do: Yet if any shall be found to do the contrary, our courts of equity shall ever be open, and ready to over-rule such landlords; as on the other side, both our courts of law and equity shall be, to bridle and eject all such unreasonable tenants as shall withstand it.

Given at our court at Charlton, the 28th day of July, in the 18th year of our reign of Great Britain, France, and Ireland, 1620.

God save the King.

This thunder in no way terrified the tenants. They met again, and employed Anthony Wedtherell, Vicar of Kirkby Stephen, to draw up a remonstrance or protest, which they published and circulated. From the extracts given by Dr. Burn, it must have been a racy and amusing document, "warm, rather than judicious," says the Doctor, "deducing their title from King Brute, with other like absurdities," complaining that the landlords intended "to pull their skin over their ears, and bray their bones in a mortar. That having peaceably enjoyed their tenements so long, it would be hard that some greedy eagle or devouring vulture should violently pull them out to miseries." They missed the real point, says Dr. Burn, that "they held their estates by a double tenure—by border service in particular, and, moreover, by the general military tenure to which all other tenants *in capite* were obliged." However, the language used was quite strong enough to provoke the landlords into legal proceedings, and they exhibited a Bill against the tenants in the Star Chamber for a libel. Before this could come to trial, the King wrote a letter to the Bishop of Carlisle, and probably to other persons, referring to his proclamation. He says :

We have understood that some tumultuous and evil-disposed persons have in those parts not only used liberal speeches. but made unlawful assemblies and published seditious libels, in maintenance of their said pretended custom of tenant right to veil it under the name of customary estate of inheritance, the punishment of some of which their offence, though it be prosecuted in a due course in the Star Chamber ; nevertheless, we foreseeing what inconvenience may in the meantime happen, if care be not had to suppress the insolency of the people, have now again given strait charge and command to our judges of assize for those counties in all their proceedings to hold themselves strictly to the tenor of our proclamation.¹

¹ Nicolson and Burn, vol. i, pp. 55-56.

. The record of the proceedings in the Star Chamber is given by Dr. Burn in an abbreviated form, but even then is too long and technical for reproduction here. The case came on for hearing in November, 1623, when the defendants were charged with publishing a libellous book, and otherwise opposing and treating with contempt the King's proclamation. The defendants answered that "they held their lands and tenements by customary estate of inheritance, descendible from ancestor to heir, by the payment of customary fines, heriots, rents, boons, and services, and not by border service, and have pleaded *not guilty*." The court conceived that the matter of title would much aggravate or extenuate the criminal offence complained of, if any there be. They therefore referred the matter to the Chief Justice of the King's Bench, the Chief Justice of the Common Pleas, and two puisne judges. The certificate of the judges was filed June 19, 1625, by which time King James was dead. By it the judges reported that the questions between the lords and the tenants were but two. The first, whether the said estates themselves, which they held, be sufficient customary estates in law, descendible from ancestor to heir; the second, whether the fine payable to the lords upon death or alienation of the tenants, and also upon death of the lords, be certain, or arbitrary at the will of the lord. On the first question the judges decided in favour of the tenants. They considered that though the tenants had undoubtedly been liable to border service, it was no part of the services of their estates, nor done by order and direction of their lords, but was part of their general allegiance and subjection, and done by order and direction of the lord warden of those parts. The second question they declined to decide, not considering that it was referred to them, but they recommended that for quietness and peace the Star Chamber should take measures for its settlement. On June 9, 1626, Sir Heneage Finch,

Recorder of London, as counsel for the tenants, moved the Star Chamber for judgment, which was decreed in the terms of the certificate, and a day fixed for settling the fines. What further was done does not appear. Probably nothing; but many lords and tenants came to compositions; others enfranchised their tenements. "And so," says Mr. Elton, "after many struggles the long debate was closed, and the Northern copyholders, without any condition, exception, or reservation, were confirmed in their ancient holdings according to their tenant right to them and their heirs for ever."¹

The success of the tenants in this matter of tenant right seems to have engendered a general spirit of resistance, and in the time of Francis, Earl of Cumberland, the tenants of the Appleby barony resisted the payment of the cornage or noutgelt, and the sergeant's oats or bailiff's corn. They denied that the same were due, and supposing the same to be payable, they alleged grievances in the collection. On March 23, 1634, the Lord Keeper Coventry decreed "That the said duties did of right belong to the said Earl of Cumberland as lord of the fee and seigniorie of Westmorland." He also framed several regulations for the collection of the same, and the question of the measure to be used was referred to Sir John Lowther for his arbitration. Sir John examined two old peck measures, one containing eight and the other ten *striked* quarts—that is, levelled off with the top, or edge, of the peck, but both of which had been paid upheaped,

¹ This same question had been raised in Cumberland earlier than in Westmorland, for in 1610 Lord William Howard and the tenants of his manor of Brampton entered into an agreement by which they yielded all challenge of tenant right, and accepted leases. The malcontents held a tumultuous gathering at Gelt Bridge in 1611, where they bound themselves in a similar manner to what the Westmorland tenants did later; but the Star Chamber fined the leaders heavily and sent them to the Fleet.—*Surtees Society*, vol. lxviii., pp. xxxvii, 413, 425, 426.

which was reckoned to be about a third more. He recommended that in future, to avoid uncertainty, they should pay thirteen quarts *striked*. The cornage, or nout-gelt, was to be paid in money as before, and amounted to £52 1s. 6d. ; the sergeant's oats amounted to 517 bushels 3 pecks, and there were also 684 pout-hens (young hens) ; but this last item was not disputed.¹ A few years later the Lady Ann, Countess of Pembroke, had expensive litigation over a single hen—a representative hen—one of 800 payable from her Yorkshire tenants to Skipton Castle. She was resolved not to lose that hen, being her ancient right, and was victorious at the assizes at York, but at a cost of £200.

Protracted litigation took place in the first half of the eighteenth century between the seventh Earl of Thanet and his Westmorland tenants. After a long contest in Chancery, a trial at bar in 1739 was directed, to be by a special jury of the county of Middlesex on the two following issues :

1. Whether by the custom of the respective manors of Burgham, Appleby, Burgh-under-Stanemore, Pendragon, Kirkby Stephen, Sowerby-nigh-Burgh, Winton, King's Meburn, Langton, Mallerstang, Knock, Sowerby, East Stanemore, South Stanemore, Scattergate and Burrels, Woodside, Moorhouses, Bndgate, Burgh Over, and Burgh Nether on the *death of the last general admitting lord* a reasonable fine, to be assessed at the will of the lord, not exceeding two years' value, be payable, or any other, and what fine ?

2. Whether by custom of the said manors on the *death or alienation of the tenant*, a reasonable fine, to be assessed at the will of the lord, not exceeding two years' value be payable ; or any other, and what fine ?

The verdict of the jury was that such fines according to the yearly value were not payable, but that

1. By custom of the said manors and every of them, *on the death of the last general admitting lord*, a fine to be assessed at the will of the

¹ For the details see Nicolson and Burn, vol. i., p. 292.

lord, not exceeding tenpence for every penny old rent, commonly called a tenpenny fine, is payable.

2. That by custom of the said manors and every of them, *on the death or alienation of the tenant*, a reasonable fine, to be assessed at the will of the lord, not exceeding seventeen pence for every penny old rent, commonly called a seventeen penny fine, is payable.

Other matters in dispute were referred to arbitrators, who made an award, of which the first clause is as follows :

That the tenants hold their tenements according to the ancient custom of tenant-right, and as customary estates of inheritance, descendible from ancestor to heir, under certain ancient yearly rents, and such general and dropping fines as are settled and ascertained by the order in this cause.¹

The verdict of the jury and the award were both incorporated by Lord Chancellor Hardwick in a decree of the Court of Chancery.

We thus have legal authority for the Northern Tenant Right prevailing in the barony of Appleby as well as in the barony of Kendal. The importance of the question must be our excuse for dwelling upon it so long, and for the lengthy quotations from Dr. Burn and Mr. Elton.

¹ The award is printed in full in Nicolson and Burn, vol. i., p. 307.





CHAPTER XI.

APPLEBY.

CAMDEN in his "Britannia" was probably the first who put in print the notion that Appleby was a Roman station, and he endeavoured to identify it with the Aballaba or Aballava of the "Notitia Imperii," and so accounts for the derivation of the name Appleby. But nothing has ever been discovered at Appleby that can be taken as evidence of a Roman station having existed there, nor are the gigantic earthworks, amid which the Castle of Appleby stands, in the least like the work of the Roman. Even if such evidence existed, there is nothing to connect the Aballaba of the "Notitia Imperii" with mediæval and modern Appleby, while lapidary evidence tends to show that Aballaba is to be looked for at Papcastle in West Cumberland.¹ It is true that stones bearing inscriptions in the Latin tongue were formerly in the front of a little school-house at Appleby, erected in 1602 by one Reginald Bainbrigg, "a waggish schoolmaster," and some of them are still preserved at the present Grammar School; but these were either the composition of Reginald Bainbrigg himself or copies of inscriptions that he had seen elsewhere. These stones have often deceived the unwary, but no antiquary could be taken in by those yet in existence. The conjecture

¹ *Lapidarium Septentrionale*, p. 455.

that Appleby is the *apple-town* has nothing but the similarity of sound to recommend it.

The best conjecture is that of the late Dr. Taylor, that Appleby is Hiálpeby, or the town of Hiálp, a name found in the Sagas, and likely to have been borne by one of the early Scandinavian settlers in the district, the first probably to settle at the high end of what is now the modern town, and to throw up the heavy earthworks characteristic of his kin. The Doctor further observes that at the present time the country people pronounce the word now written as "Appleby" in a form which may be best expressed in letters as "Yæpllbi," which in sound is as close as can be to Hiálpeby. The Doctor further points out that the earliest personal name we find associated with the district is Whelp; in the registers of Holm Cultram Abbey there are grants and confirmations of certain lands in Kirkbythore to the Abbey of Holm Cultram, in the time of Henry II., by Waldeve, the son of Gamel, the son of Whelp, whose name is preserved by tradition at Kirkbythore in connection with the ruins known as Whelp Castle. Now, at the present time, in the broad old-fashioned Westmorland tongue, the actual mode of pronouncing the word "whelp" is "hwialp," says Dr. Taylor, both as applied to a young dog (Icel. *hvelpr* and A.-S. *hwepl*), and in the existing Cumberland proper names of Whelpdale, Whelphow, Whelpside, etc. Thus the Doctor arrives at the ingenious conclusion that the "Apple" in Appleby and the "Whelp" in Whelp Castle are both phonetic variants for the name of an early Scandinavian settler, Hiálp.

It has already been stated¹ that Ranulf Meschyn, when in possession of the earldom of Carlisle, granted the two churches of Appleby—namely, St. Lawrence and St.

¹ "The Old Manorial Halls of Westmorland and Cumberland," p. 124, by M. W. Taylor, M.D., F.S.A.

² *Ante*, Chapter VI.

Michael—to the Abbey of St. Mary's at York. To this day the patronage of St. Lawrence's Church is in the hands of the Dean and Chapter of Carlisle, as the direct successors of the York Convent, whose local possessions were bestowed upon them when the Prior and Convent of Carlisle was converted by Henry VIII. into a Dean and Chapter. But the Church of St. Michael was ceded in the thirteenth century to the then Bishop of Carlisle and his successors, who to this day are the patrons thereof. The Church of St. Lawrence had two chantry chapels: one, on the south side of the church, was founded in 1286 by William de Goldington, an early Mayor of Appleby, and was dedicated to the Virgin Mary; the other, on the opposite side of the church, was founded by John de Threlkeld in 1331, and dedicated to St. Nicholas. There was a solitary chantry in St. Michael's Church, of about the same date, founded by Sir W. English. Appleby also had a house of Carmelites or White Friars, who frequently occur among the beneficiaries in the wills of the last half of the fourteenth century contained in the registers of the Bishops of Carlisle.¹ Sometimes they appear in these wills as the *fratres de Appleby*, at other times they are included in the expression, the *quatuor ordines*—an expression which comprehends the four orders who had houses in the diocese, viz., Black and Gray at Carlisle, White at Appleby, and Eremites at Penrith.

The oratory of St. John the Baptist stood upon the bridge over the river Eden, and the town was approached under an archway with folding doors. The bridge was maintained by the pious offerings of travellers as they passed this chantry, whose officials would be always ready with an alms-basin, and by bequests to its fabric fund, many of which are contained in the "Testamenta Karleolensia." On the suppression of the chantries at the

¹ See "Testamenta Karleolensia," published by the Cumberland and Westmorland Antiquarian and Archæological Society.

Reformation, the oratory was disused; at a later date it was converted into a gaol, and so continued for nearly a century. In 1761 the grand jury presented that it was ruinous and unfit for such a purpose, and it became a dwelling-house, but was ultimately pulled down to widen the bridge approaches.

With regard to the civil constitution of Appleby we have no documentary evidence as to its origin. It is clear that Appleby had in the last half of the twelfth century some sort of organization beyond a mere constable and a township jury; the Pipe Rolls speaks of the burgesses of Appleby (*burgenses de Appelbi*); *Willielmus clericus de Appelbi* is fined ten marks for being implicated in the surrender of Appleby in 1174; in 1194 *Waldeuius Seruiens de Appelbi* is fined half a mark for letting one Agnes escape from his custody. Waldeve would seem to be the Sergeant of Appleby; can William the clerk be the Town Clerk? It would be unsafe to infer from the mention of these two officials that Appleby then possessed a Mayor and an organized Corporation; but a Sergeant is not such an official as a mere village community would possess, though the clerk may be no more than a *clericus parochialis*: it may be that the sergeant was only the village constable.

The earliest charter in possession of the present Corporation of Appleby is one granted by Henry II. Whatever it grants to the burgesses of Appleby is done by reference to York. The operative part is as follows:

Sciatis me concessisse et presenti charta confirmasse burgensibus meis de Appelbia omnes libertates, et liberas consuetudines habendas quas Burgenses mei de Eboraco habent.¹

The date of this charter is 1179, in which year we learn from the Pipe Rolls that the burgesses of Appleby paid a fine of forty marks for a charter of liberties the

¹ The charter is printed in Nicolson and Burn, vol. i., p. 310, n.

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governed by the burgesses of York. At that time York had not a Mayor and Corporation: it was only a *burgum* or *Reeve*; ¹ it may be taken as a fair estimate that the civil government of Appleby was of a higher development than that of York, and that at that date had neither Mayor nor Corporation. On March 25, 1200, King John, then at York, granted to the citizens of York their Merchant Charter, which gave them the houses in England and Normandy, and the liberties freely as they had them in the time of Henry the first, and as they are specified in the Charter of his father and Richard his brother. ² On the following day, March 26, 1200, King John granted to the burgesses of Appleby a confirmation of their charter. ³ The charter used was identical with that of the charter of York already quoted, and referring to York; but it ran thus:

Concessimus et concessimus eisdem burgensibus nostris de Appelbi, quietantias de thelonia et stallagio, et pontagio in eadem terram nostram Angliæ, quantum ad nos pertinet, civitate Londinensi. Concessimus et eis burgum de Appelbi in manu sua, reddendo inde firmam quam debent de Westmerland apud Appelbi, scilicet medietatem ad Michaelis, et alteram medietatem ad Pascha.

This charter marks a great advance in the organization of the town. True, it had no Mayor in 1200, any more than York, but the burgesses of Appleby got the right to take over fee farm rent, of the town into their own hands, they assessed themselves to raise it as they thought best, and paid it half-yearly to the Sheriff. This was a great advance in municipal organization. "When," says Canon Raine, "a burgh acquired the *firma* of its town: York," p. 193, by Canon Raine.

The confirmation is printed in Nicolson and Burn, vol. i.,



burgi, it became a commune," and it was probably in consequence of this charter that the burgesses of Appleby got their very beautiful seal with the marginal legend on the obverse :

+ SIGILLVM : COMMVNITATIS :
BVRGII : DE : APPILBI.

York, however, says Canon Raine, had no Mayor in the year 1200, nor, we may be certain, had Appleby.

By the year 1217 the *Præpositus* or Reeve at York had been superseded by a Mayor, and the scheme of local government for York was probably altered and modified when a Mayor was first elected. Appleby would not be slow to follow the example of its prototype, and the Mayor of Appleby was probably developed in the first half of the thirteenth century. But as at Carlisle, so at Appleby, no charter exists, and probably none ever existed, to authorize the first appointment of a Mayor.

Several charters of confirmation were granted to the burgesses of Appleby, but they do not mention a Mayor; they confirm previous grants, and one of Edward I. gives the further privilege of paying the fee farm rent direct by their own bailiffs into the Exchequer, instead of to the Sheriff. Mention of the Mayor of Appleby is made in various thirteenth-century deeds; in 13 Edward I. st. 3, a statute for amending the Statute de Acton Burnel, *le meyre de Appelby* is mentioned. It is quite clear, therefore, the Mayor of Appleby came into existence in the first half of the thirteenth century. The lost charters which Queen Elizabeth and Charles I. granted would probably contain clauses regulating his election. A deed without date, but of the reign of Henry III., cited in Nicolson and Burn, is witnessed not only by Master William de Goldington, Mayor of Appleby, but by Robert de Goldington and John Bretton, provosts of Appleby (*præpositis de Appelby*); it is quite possible the provosts

of Appleby may have, as at York, been officers of older date than the Mayor.

Disputes soon arose as to the relations between the burgesses of Appleby and the lord of the barony of that name, whose history has been attempted to be told in a previous chapter. The grant by King John to the burgesses of Appleby of the fee farm rent of that place, so ousting the jurisdiction of the Sheriff, was anterior to the grant by that monarch to Robert de Veteriponte of Appleby and Brough, together with the sheriffwick and rent of the county of Westmorland. But the lords of the barony claimed, under the general words in their grant, to be lords of the borough of Appleby, and entitled to its services; they made, or endeavoured to make, the burgesses grind their corn at the lord's mills; they hindered, or endeavoured to hinder, the burgesses from taking rent from stalls in their markets and custom dues of merchants resorting there; and they distrained, or endeavoured to distrain, upon the burgesses to make them to do fealty to the lords, as if the burgesses were homagers of theirs. This resulted in litigation; in 4 Edward I. the burgesses issued a writ against Roger de Clifford and Isabella his wife, and Roger de Layburne and Idonea his wife, reciting the above grievances and asking for redress. The four defendants answered, and acknowledged that they had done the things complained of, and asserted a right to do them under their charter from King John. The proceedings were conducted to trial, and as Roger de Clifford and Roger de Layburne held the sheriffwick of Westmorland, a jury was impounded from Cumberland, Northumberland and York, whose verdict was in favour of the burgesses. They found that neither

Robert de Veteriponte, nor any that succeeded him as heir, ever had seisin of the borough of Appleby in which the burghers dwell, but that King John gave the said Robert *Old Appilby*, where the *Bond-*

men dwell [Vetus Appilby ubi Villani manent], and Burgh-under-Stanemore with the appurtenances ; which lands King John had in his hands, by reason of the trespass committed by Hugh de Morville. They find, also, that the said King John gave to the said Robert the sheriffwick and rent of the county of Westmorland with the services there of all the tenants of the King, except those that hold by knights' service. And as to the fealty done to the said Robert and his heirs by the burghers of Appilby for the said borough, they find that the same burghers never did fealty to the said Robert or his heirs for the said borough, except by two bailiffs chosen by the community of the said borough, so as to be responsible to him for the rent of the said borough, as sheriff in fee, and not as lord of the borough. They find, also, that if the said burghers at any time have done any fealty to them, it was by distresses and force, and not by their will.¹

This was victory for the burgesses all along the line ; they yearned for further triumphs, and three years later rushed into further litigation with the lords of the barony ; the burghers of Appleby in 7 Edward I. claimed the return of wills and pleas of Withernam² on the ground that the burghers of York had these liberties, and that the burghers of Appleby under their charters were entitled to similar liberties. In this litigation the burgesses were not successful, and they were cast in costs. The Sheriff presently sued the burgesses for presuming to hold courts to the detriment of his rights, and succeeded ; they had presumed to try John de Appleby for the death of Nicholas Strainge, whereas he should have been tried before the King's justices, or before the Sheriff and coroner in the County Court. The costs and damages incurred by the burgesses in this case were very large, and the town's liberty was seized as security for them, and afterwards replevied.

¹ Nicolson and Burn, vol. i., p. 314.

² From the Saxon *Wither*, i.e., *altera*, and *nam*, *captio*. Where a distress is driven out of the county, and the Sheriff upon a Replevin cannot make deliverance to the party distrained upon, in this case the writ of Withernam is directed to the Sheriff to take an equivalent number of beasts from the party who distrained.

The two bailiffs mentioned in the finding of the jury would be identical with the provosts mentioned in the deed of the time of Henry III., to which we have alluded. It would seem that they were first appointed on the granting of the charter of John for the purpose of assessing and paying the fee farm rent, and that a Mayor was probably the next development of municipal organization. One consequence of this litigation was the introduction of a clause into the charter of confirmation of 14 Edward I.: "that although they [the burgesses] had been wont to pay their fee farm rent by the hands of the Sheriff, they might, if they thought fit, pay the same into the exchequer by the hands of their own bailiffs." Appleby can well claim, as the result of this litigation, to be a royal borough; it has never been held of any mesne lord.

The burgesses of Appleby had a confirmatory charter in 5 Edward III. (1332); the next charters are dated 20 Henry VIII. (1528), 1 Mary (1553), 4 James I. (1607), and 16 James I. The long gap between 1332 and 1528 is remarkable, and may be accounted for by the fact that the town was burnt by the Scots in 1388, and great part of it was still in ruins in the time of Henry VIII., and of Philip and Mary; the fee farm rent was consequently reduced from 20 marks per annum to 2 marks.

During the Commonwealth a charter was imposed upon the burghers of Appleby; when it arrived at that town, the Mayor withdrew himself, and the bailiffs resigned their offices rather than make proclamation of it, so the Roundhead soldiery had to "have recourse unto a fellow in the market, an unclean bird, hatched at Kirkby Stephen, the nest of all traitors, who proclaimed it aloud, whilst the people stopped their ears and hearts, having nothing open but their eyes, and those even filled with tears."¹ The population of Appleby were indeed

¹ The Rev. Thomas Machell, cited in Nicolson and Burn, vol. i., p. 315.

intensely loyal, and, prior to the imposition of this charter upon them, had successfully resisted an attempt made by Captain Atkinson, of Winton, who was afterwards hanged, to impose a Roundhead Mayor upon them by force; they elected a moderate man. The Restoration Mayor made short work of the odious charter; before he would take the oath or handle the staff of authority, he cut the charter into pieces and flung it to some tailors, saying "it should never be a measure unto him."

James II. induced the burgesses of Appleby to surrender their charters. This they did in 1685: the charters were taken away, and have never been returned. After this surrender, the King granted in the same year a charter of incorporation to the borough by the name of "The mayor, aldermen and capital burgesses of the borough of Appleby." This charter appoints the following officers: mayor, recorder, town clerk, twelve aldermen, sixteen capital burgesses, a sword-bearer, sergeant-at-mace, two chamberlains and two bailiffs, all of whom were nominated in the charter, to hold their office for such time and in such manner as had been wont; vacancies were to be supplied as had been usual during the last twenty years. The gist of the whole thing was that the King had power reserved to him to displace any of the officials at his pleasure. On June 4, 1688, the Corporation of Appleby, bullied as other corporations had been, surrendered to the King the charter of 1685. Shortly after this second surrender the King took alarm, and tried to undo the work he had been doing. On October 17, 1688, an order was issued restoring all the corporations in England to their ancient privileges, displacing all corporate officers who claimed their places by any grant made by the Crown since 1679, and reinstating all those turned out. A singular state of things resulted at Appleby. The surrenders made by the burgesses of

Appleby in 1685 and 1688 were both void as having been never enrolled, and the charter of 1685 was also void, as made upon a void surrender, that of 1685; the charter of Oliver had been destroyed, the previous ones had disappeared on the surrender of 1685, so that Appleby has little to show in the way of charters, except such as make no mention of any Mayor or any Corporation. No further charter was ever granted, and thus Appleby slumbered on, subsisting as an ancient corporation by prescription without any known written charter in force.

Appleby escaped the schedules of the Municipal Corporation Reform Act of 1835, and the provisions of that Act did not affect its constitution. But it was included in the schedule of the Municipal Corporation Reform Act of 1885, which dissolved all corporations which were then unreformed, with the exception of those to whom the Queen should grant new charters, extending to them the provisions of the various Municipal Corporation Acts. The inhabitants of Appleby petitioned the Queen, and in accordance with the prayer of their petition a new charter was granted on July 20, 1885, extending to Appleby the provisions of the Municipal Corporation Acts, and so sweeping away a picturesque and interesting survival.¹

Both the present Vicar of Appleby, the Rev. Canon Mathews, and the present Town Clerk have made calculations as to the population of Appleby at different times. Both take it as the fact that the fee farm rent to the Crown of 20 marks (£13 6s. 8d.) was at the rate of 2d. per burgage, making 1,600 burgages; one computator allows five members to a family and the other six, making

¹ The writer is indebted for much of the above to a paper on the Appleby charters by Mr. W. Hewitson, the Town Clerk, published in *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. xi., p. 279.

respectively 8,000 and 9,600 free inhabitants; the reduction of the rent to 2 marks (£1 6s. 8d.) denotes a reduction of the population to one-tenth, owing to the border wars. The town never recovered from the destruction and havoc of the fourteenth century. In 1314, after the battle of Bannockburn, the Scots, under Edward Bruce and Sir James Douglas, raided into Northumberland and Durham as far as the Tees and Richmond; returning by Stainmoor, they burnt Brough and Appleby, and going down the Eden Valley, they burnt Kirkoswald. In 1388, on St. Stephen's Day, the town was sacked and devastated by the Scots in revenge for the battle of Otterbourne. From this sack the town never recovered. Canon Mathews says :

Nine-tenths of it lay in ruins and was never rebuilt, as is evidenced by old foundations which have been dug up in the fields at considerable distances from the present town, marking where it once stretched.¹

The burghers could not continue to pay the fee farm rent of 20 marks, and various inquisitions were made as to the reason. The return to an inquisition of the year 1515 was—

That the said town of Appulbye was greatly diminished and fallen into ruin, and that the burgesses of the same liable to the said farm rent are so very poor that they cannot satisfy nor reply to our lord the King for the aforesaid fee farm. And, further, the jurors say that the aforesaid town has been set on fire, and burnt by the Scots in the year of our Lord 1388, and never from the same time until now rebuilt, but the greatest part of the same town as yet lies in ruins. But the burgesses can pay and bear an annual rent of 26s. 8d., and no more.

We must own to a feeling of wonder at what 8,000 or 10,000 people did at Appleby in the thirteenth or fourteenth century. It was unwalled, so they could not have resorted there for protection and shelter. The castle

¹ "A Guide to Appleby and the Vicinity," by Canon Mathews, M.A., R.D., Vicar of St. Lawrence, Appleby, p. 25.

would afford such only to those who could crowd within its walls and earthworks. They could have had no manufactures or trade.¹ How did they subsist? In 1598 Appleby was depopulated by the plague. In 1792 there were only about 100 burgage tenements in the place, all the property of either the Earl of Thanet or the Earl of Lonsdale, a vast falling off from the 1,600 of former days!

The right of voting in the borough of Appleby, although it was never the subject of any special resolution of the House of Commons, was admitted to be in the burgage tenements. Appleby first returned members to Parliament in 26 Edward I., and William de Goldington, the early Mayor, figures frequently among the very early M.P.'s. The names of his contemporaries and successors up to the time of the Commonwealth are almost wholly recognisable as local, or else so unknown as to ensure that they were local, the names of honest burghers of Appleby—Lowthers and Sandfords and Crakanthorps of the one sort, Kemps and Clerks and Grenes of the other. The first man of title to appear on the list is Richard, Viscount Dungarvon, afterward Earl of Cork; he had married a daughter of Henry Clifford, last Earl of Cumberland, which accounts for his introduction to the borough. During the Commonwealth the borough was coerced into returning Adam Baynes, a captain of horse under Cromwell. After the Restoration Appleby returned at the General Elections of 1660 and 1661 two undoubted Cavaliers, a Lowther and a Dalston. At the second of these elections, the story goes that the bold Countess of Pembroke wrote her famous epistle in reply to one from Mr. Secretary Williamson, suggesting a Government candidate for Appleby:

¹ No trace is to be found at Appleby of the existence of any trade-guilds.

I have been bullied by a usurper, neglected by a Court, but I will not be dictated to by a subject. Your man shan't stand.

ANNE DORSET & PEMBROKE.

The evidence as to the authenticity of this letter is doubtful, but the following is genuine, from the original in the Record Office :

Brougham Ca., the 16 of January.

1667, 1668.

S^r,—

I received yo^r Letter of the 11th of this moneth by the last Post, as alsoe my Cozen, M^r John Dalston, of Acronbanke, his desyres to mee, to y^e same effect, on yo^r behalfe, that I would imploy my Interest att Appleby to procure yo^u to be chosen Burgesse there in the place of Cozen John Lowther, lately deceased.

I should have bin very willinge, S^r, to have done yo^u service therein, but that I have a p^r ingagem^t upon mee, both for my owne grandchildren in y^e Southerne parts, and some of my own Kindred and Freinds in theis, w^{ch} I hope yo^u will take in good part, as a reasonable Apologie for my selfe in this Businesse.

S^r,

Your Ass red frind,

ANNE PEMBROKE¹

The representation of Appleby was long contested by the Tuftons and Lowthers; in the early part of the eighteenth century the Musgraves, Whartons, and Grahams attacked it, but it ultimately became a bone of contention solely between the Tuftons and the Lowthers. This state of things culminated in the famous fight of 1754. In preparation for this, each family had spent large sums in buying up every possible tenement that could confer a vote; even hogsties are said to have been purchased at enormous prices. The Tuftons returned both their men, Colonel Honeywood and Sergeant Lee, each of whom polled 121 votes; while the Lowther candidates, Sir John Ramsden and Sir Fletcher Norton, polled 108 apiece. The defeated candidates petitioned the House of Commons, and the deliberations of a com-

¹ *The Academy*, June 17, 1874.

mittee resulted (an evident compromise) in all four of the candidates being declared to have the same number of votes, whereon the election was declared void. A formal compromise was then arranged, which put an end to all contests for Appleby, and from that time no candidate for the representation of Appleby ever went to the poll. From 1754 to 1832 the Thanets and Lowthers each nominated a member. The borough was then disfranchised.

From the Commonwealth to the election of 1754 the representatives returned for Appleby were mainly selected from the county families or their connections, and were, with few exceptions, undistinguished in character. After 1754, when the borough became purely a nomination one, they rapidly improved, and the first and second Earls of Liverpool, Lord Grantley, Governor Johnstone, Pitt, John Courtenay, Sir Philip Francis, Earl Grey, Lord Colborne, and George Tiernay form a proud galaxy of political merit.

The priests who in mediæval times served the chantries in the Appleby churches were appointed by the Corporation. That body initiated a practice of bestowing all three chantries upon one individual, who covenanted with his patrons to teach school. This seems to have been the origin of the once famous Appleby Grammar School, which was formally founded by Queen Elizabeth, although it had existence long prior to that time. Under Mr. Richard Yates, the Featherstonhaughs, Musgraves, Machells, Briscos, Hasells, Crackenthorpes, Wyberghs, and other well-known North-Country families attended the school. Among individual celebrities are to be reckoned an elder brother of the great George Washington; Langhorne, the translator of Plutarch; Bishops Smith and Waugh, of Carlisle; Barlow, Bishop of Lincoln; Lancelot Addison, Dean of Lichfield; Mr. Secretary of State Robinson (Jack Robinson); Thomas

Fothergill and Thomas Collinson, both Provosts of Queen's College, Oxford; Sir Joseph Yates, Justice of the King's Bench, and others. The school was for some time hampered by inadequate buildings, but it is now in new buildings on a new site, under a new régime, and likely to renew its former glories.

The town consists mainly of one long street, with the castle at the high end and the church at the low. There are in it some quaint almshouses founded by the Lady Pembroke; and the Grammar School, before its removal, possessed some most interesting and picturesque buildings, while the Church of St. Lawrence, of which Archdeacon Paley was once vicar, will well repay the archæologist for a visit. The site on which the town stands is peculiar; it is almost surrounded by water, namely, by a bend of the river Eden, and by one of its smaller tributaries, the Doom Gate syke, which must in early times have been a swamp. The Castle Hill blocks the mouth of the loop formed by the river and the syke, and the town would be in early times covered by water and by the castle against moss-troopers and raiders. These limits the town must have soon exceeded, far exceeded when it had a population of 10,000. A very curious map of 1754, made after the election, and probably for the purposes of the election petition, shows the burgage tenements, but only a few are outside the river and the syke. Some of the tenements that then conferred a vote were mere foundations of buildings that had ceased to exist, others were fields.

The following account of the exceptionally fine and interesting common seal of the borough of Appleby is from the pen of Mr. W. H. St. John Hope, the assistant-secretary to the Society of Antiquaries of London:

Following the almost universal custom of municipal seals, the Appleby seal is circular in form. It is also, as is not unusual in early examples, formed of two matrices, a seal, and a counterseal, both of

the same size. . . . The Appleby matrices are of latten, and measure $2\frac{1}{2}$ inches in diameter. Each has been furnished with four loops round the circumference to ensure the two halves of the seal fitting accurately one over the other, but two of those on the upper matrix have been broken off. The seal or obverse bears for device a heater-shaped shield of the royal arms of England, *gules three "leopards" (or lions passant gardant) in pale or*, suspended from a seven-branched *apple-tree*. The marginal legend is—

✚ SIGILLVM : COMMVNITATIS : BVRGII
DE : APPILLBI

and terminates with an apple, in allusion to the name of the town.

The counterseal or reverse has a representation of the martyrdom of St. Lawrence, the patron saint of Appleby, who is shown stripped to the waist and bound on a long gridiron with fire under. Two tormentors in loose tunics, one wearing a conical hat, stand at either end, and are armed with short forks. Above the saint's feet is an angel issuing from the clouds and apparently holding a censer, receiving the soul in a napkin. In the background is also a large banner with the lions of England, beside which hangs an apple. Under the banner are three stars in a row. The legend is :

✚ HIC JACET LAVRENCIUS IN CRATICVLA POSITVS—
i.e. Here lies Laurence placed upon the gridiron.

It will be noticed that the engraver has taken care to fill up all the unavoidable blank spaces on both halves of the seal, and for this reason the apple and stars are introduced upon the obverse. It is popularly supposed that both the shield and the banner bear the town's arms, *gules, three lions passant gardant crowned or*, but on the seal the lions are *not* crowned, and are unquestionably those of the royal arms as borne from about 1197 to 1340.

This very fine and interesting seal is of the early part of the thirteenth century, and is probably contemporary with the charter of John or Henry III.

APPENDIX.

The Earthworks and Keep, Appleby Castle.

The castle of Appleby occupies a bluff, precipitous towards the east over the river Eden, but sloping gently on its other sides, and specially towards the north-west, where the town nestles in behind the castle, protected by a loop formed by the river Eden and the Doom Gate syke. The castle bluff exactly fills the cord of the loop just



described, and when the Doom Gate syke was, as the Briton, the Roman, the Englishman, the Dane, and the Norman found it, a swamp of some magnitude, a more defensible position could not be well imagined. There was no road, dry foot, into the future site of Appleby town, but by permission of those who occupied the castle bluff. Such a position is likely to have been fortified in very early times indeed, and in the present day the gigantic earthworks that occupy this bluff excite the wonder of all visitors. They are of a scale not usual with castles of pure Norman origin, which raises a surmise that they may be of much earlier date.

These earthworks enclose three wards, which we may call the inner, middle, and outer. The inner ward occupies the plateau on the top of the bluff, and contains an area of somewhat under two acres. At its east end the cliff and river sufficiently defend it, but a deep moat runs round its other three sides, interrupted only for an entrance; on its north and west sides, or those towards the town of Appleby, the inner ward is covered by the middle and outer wards, and the moat is here single; but on the south, or exposed side, the moat is double. On this side the earthworks are on their grandest scale, and front the open country, from which a foe was most likely to approach. The inner moat is about 40 feet deep, and 80 feet from crest to crest; the earth has been thrown out on both sides, forming a ramp on the inner side and a banquette on the outer, beyond which is a broad, shallow ditch (a glacis rather than a ditch, for it must have been dry), and beyond that, again, an earthen rampart, occupying the side of the bluff almost down to the level of Doom Gate syke. Where the inner ward is covered by the middle and outer ward, the banquette, outer ditch or glacis, and outer rampart are dispensed with. From the west end of the inner ward an earthwork similar to that just described sweeps round the present stables, and runs down the precipitous bank to the river. While on the higher ground this earthwork is double, like that on the south side of the inner ward, and the high earthen ramparts on each side of the deep inner ditch are well seen; but where the earthwork runs down the precipitous bank, it becomes merely a deep ditch, with rampart on either side. A spur from the top of the bank to the earthwork of the inner ward separates the middle and outer wards. These earthworks are at present interrupted by the drive up to the inner ward and to the stables, but originally they would be continuous, and the transit over them by one or more drawbridges, of which there is now no trace; but the existence of one at least is proved by an entry in the Pipe Rolls of 9 Richard I., 1198, "et in Emendatione pontis de Castello de Appelbi xls. per breve Regis." At the south-east angle of the inner ward, where its rampart

and ditches would run out upon the cliff, they are stopped by a cross ditch and rampart, so that anyone attempting to ascend the face of the cliff at the south-east angle, and get into the glacis in that manner, would have to make a detour down to the level of Doom Gate syke, where he would have to confront the other defences of the inner ward. In later times this cross rampart at the south angle has become a terrace faced with stone, and it is pierced by a tunnel where it crosses the great ditch. This tunnel is modern, but occupies the place of an arch for a drain or for a sluice, similar to some at Barnard Castle, to regulate the water formerly in these moats.

We have already mentioned that the scale of these earthworks leads to a surmise that they are pre-Norman. Another reason is that they were not intended to carry masonry. The earth thrown up as a ramp on the inner side of the ditch would not support masonry; as a fact, the masonry work has been set within it, and the earth left outside as a ramp covering the foot of the wall. The Norman engineer would probably have put it inside the wall had he been doing the whole thing *ab initio*.

Who, then, made these gigantic earthworks? Not the pre-Roman inhabitant of these isles; he generally placed his camps on even higher ground than this, and he did not divide them into inner, middle, and outer wards. Into his camps, mere places of refuge in time of danger, cattle and owners all huddled together. Did, then, the Romans? There is nothing Roman here. We come, then, to the Englishman (Angle, Saxon, Jute, or Dane); and it is probable that we have here in these earthworks the fortified dwelling of the great thane or franklin whom William Rufus found in possession, and who had to make way for the Norman baron.

Where the keep now stands would be a central timber house, built of half-trunks of trees, set upright between two waling-pieces at the top and bottom, with a close paling around it at the edge of the mound; the various ditches would be crossed by bridges of planks, and defended by oak palisades, as would be the top of the bluff to the east over the river, and within the enclosures would be huts of "wattle and dab," or of timber, for the retainers. The date would be some time between the eighth or ninth century and the Norman conquest of the district by the Red King.

We will now proceed to describe the work of the Norman.

The keep of Appleby Castle stands on the highest ground in the inner ward. It forms no part of the *enceinte* wall, but, as usual, is not in the centre of the ward—an arrangement which was adopted in order to give more room for other buildings, and for the movements of troops. It is rectangular, and its four faces front to the four airts,

or very nearly so. It is almost square, 46 feet 6 inches ; 80 feet in height to top of pepper-boxes on the angle turrets, and is very plain. There is, exactly as at Bowes, no base, or plinth, or set-off, except where a plain string course marks the level of the second floor, and is continued round the whole building, including the pilasters. Each angle is capped by a broad, flat pilaster, 8 feet broad, and projecting 8 inches, and the angle of meeting of each pair is solid. These are continued above the parapet level, and form the angle turrets. There are no intermediate pilasters, such as at Bowes. The angle turrets and parapets still exist, but the turrets have been rebuilt in masonry of a more modern and superior style ; so also has the greater part of the north-eastern angle. This angle might have been the "great breach of Cæsar's Tower," which Machell relates to have been repaired. The masonry is rubb'e-work and open-jointed, and, I should fancy, durable ; for Norman work in keeps is invariably sound, whatever it may be in church-towers.

The walls of the keep do not batter. The interior is divided at present into basement, first, second, and third floors, but the second and third floors are not in their original positions ; the corbels remain for a fourth floor, further evidence of which exists in a door from the south-east angle well stair, at the level of these corbels, which now opens upon nothing at all. The whole of these doors are divided into two by a cross-wall running from east to west, ascending to the summit, and pierced by various doorways. This was a very usual arrangement in large keeps, as at Carlisle. In the present case it is not original, and its place at first was doubtless supplied by stout pillars of timber. Its history is given in an inscription, which was formerly upon it, on a brass plate. This is now lost, but the inscription is recorded in the Hill MSS., and is as follows :

"This Cæsar's Tower began to be repaired, and this middle wall to be built from the foundation in 1651 by Ann, Baroness Clifford, Westmorland and Vesey, Lady of Honour of Skipton in Craven, and Countess Dowager of Pembroke, Dorsett and Montgomery, after it had laid ruinous and uncovered from the year 1569 until now."

A well staircase in the south-east angle extends from the basement to the roof, having doors to each floor, including the fourth or floorless one. In the south-west angle another well staircase extends from the first floor to the roof, but has a door only to the second floor, and not to the third or fourth. There is no staircase in the north-west angle, and there are no loops in the exterior, such as might be expected, for lighting one.

In the north-east angle, on the first and second floors, are garderobes, and a staircase, coeval apparently with the cross-wall ; for it is

not, like the others, in the thickness of the external walls, but built up against them in the angle included between them : it leads only from the basement to the first floor.

The well staircases in the south-east and south-west angles are built in the ancient Roman method—that is, the steps are carried on arches of concrete—showing this keep to be early Norman. Those in Appleby Church have the steps of single stones, built into the wall at one end, and into the newel post, which they thus form, at the other. This shows the church to be late Norman.

The basement is now entered by two doors ; one, into the south compartment, is in the east side of the keep, and the other, into the north compartment, is in the north side. Neither is original. That on the north side seems very modern ; that on the east of some age, probably the work of Lady Pembroke. Originally the only access to the basement was by the stairs from the first floor. The floor of the basement is very little below the present ground-level. The basements of Norman keeps were never much below the ground ; they were intended for storerooms, and not for dungeons or oubliettes, and they never contain subterranean vaults. A door in the cross-wall gives access from one compartment to the other. The well, a most important and indispensable adjunct to a keep, is in the south compartment, but is partly under the cross-wall. It is now covered ; it is lined with masonry for 28 feet at least. It probably goes down to the level of the river. Another well in this ward is 90 feet deep. The position of the well in the keep—viz., partly under the cross-wall—is conclusive evidence of the cross-wall not being original, and it is also evidence, equally conclusive, that the basement was not intended for a prison.¹

The basement was originally lit by four loops, two on the south and two on the north side ; those on the south remain, and are round-headed, with shallow splay outside and a very deep one inside. They are about 2 feet 6 inches high, 4-inch aperture, outside splay 13 inches across. Only one remains on the north side ; the other has been superseded by the modern door.

The entrance to the first floor is at the top of an external flight of steps on the east side. This would be the original entrance to the keep, approached by an external staircase of timber, or even by a mere wooden ladder, which could be drawn inside. This entrance has been tampered with and altered, so that the plan of its original defences is much obscured. They would consist of one or two stout

¹ It is true that this basement was anciently the prison of the county (*Transactions*, vol. i.), but it was not made for that purpose.

doors of oak, strengthened with iron and held close by one or two bars also of oak, and about 4 inches square, which ran back into deep holes in the wall. The portcullis is rarely found in the keep, though used in other parts of Norman castles. There is no sign of one here, or of the mural chamber over the door which would be necessary for winding it up. There is no sign that any forebuilding ever existed.

A lath-and-plaster partition runs across this floor, with the cross-wall dividing it into four rooms, two big and two little, which were used for the reception of visitors to the Countess. Of the last, one is a mere vestibule at the entrance, and one of the larger ones has two fireplaces in it, showing that it has been intended to be divided by a wooden partition into two rooms. The other large room has a frieze in which are the coats of arms of Clifford and of Vipont. There are two doors on this floor (the first) in the cross-wall.

The first floor and the second floor are lighted by windows of two lights. These are placed in broad and lofty recesses, round-arched at the head, and with nearly straight sides, like doors, sunk into the wall $4\frac{1}{2}$ feet deep. They are about 7 feet across, and 7 feet high to the spring of the arch. They are slightly raised above the level of the floor. They are original. The wall of the keep is only 6 feet thick, and these recesses, sunk $4\frac{1}{2}$ feet into it, leave only an eighteen-inch wall, which would easily be punched in by a stone from a catapult. But at Bowes are some very weak windows, alike unable to resist a catapult, and it is possible that the borderers, whom these keeps were intended to overawe, had no military engines at command.

These windows have had side seats, and much resemble windows at Conisborough Castle. The first floor possesses seven of these windows, but the two on the south are built up. There are four fireplaces on the first floor, all having their chimneys in the cross-wall.

The second and third floors possess four fireplaces each, two in each compartment, set back to back in the cross-wall. These floors are not at their original levels, as shown by the position of the doors to them from the well stairs. On the second floor the cross-wall is pierced by two doors. This floor would be divided by wooden brattices, or partitions, into four bedrooms, each with a fireplace. This floor has eight of the windows just described, but the two on the south side are built up. On the third floor the cross-wall is pierced by only one door, and also on the floorless fourth floor. The four fireplaces on each of these floors show that the third floor was subdivided by wooden partitions into four rooms, and that it was intended to so divide the fourth, if ever it was floored.

The present parapets are not corbelled out ; they consist alternately

of narrow embrasures and broad merlons, each merlon having a loop in it. There are no holes for struts, or for the timbers of a bretasche. The angle turrets were rebuilt some twenty years ago, and the lead roof was then renewed.

There is no trace of any chapel in the building. There are no mural chambers, with exception of one or two garderobes; indeed, the walls, only 6 feet in thickness, would not admit of them. No kitchen.

The ivy without, lath and plaster within, obscure the history of this tower, and render it very difficult to read, as the variations in the masonry cannot be seen. That this keep existed in 1174 we have positive proof, for Jordan Fantosme, who gives the account of the siege of Appleby Castle in 1174, by William the Lion, writes: "Quand il ot Appelbi le Chastel e la tur." It is probable that it was the work of Ranulph de Meschines in the reign of William Rufus or Henry I. It has at one time or other lost its angle turrets and part of its height, and it was roofless from 1569 to 1651, when it was repaired by the Countess. As she left it, it has remained much the same until now, except that the turrets have been rebuilt.

With regard to the rest of the castle, there is little to say; the ivy prevents any minute examination of the *enceinte* wall, and it is impossible to say what is original Norman work or what not.¹

¹ Abbreviated from a paper by the writer of this book on "The Earthworks and Keep, Appleby Castle," in *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. viii., p. 382.





CHAPTER XII.

KENDAL.

THE question of what was the name of the Roman station at Watercrock, near Kendal, has been under discussion in an early chapter of this book, and we have expressed an opinion that in the present state of our knowledge it is impossible to come to any certain conclusion, except that Watercrock is not Concangium, a conclusion which we are afraid will disappoint, and even annoy, many very worthy inhabitants of Kendal, who have been brought up in the belief that it is, but who have never looked into the subject. They have, however, seen it in a book, and that has been sufficient for them, as it has been for Professor Rhys in his interesting book on Celtic Britain,¹ and for a recent writer in the *Saturday Review* on Hardknott Fort.²

Kendal is the name of the most extensive parish in Westmorland; it comprises twenty-four townships or constablewicks, viz., Hutton, Helsington, Natland, Scalthwaite (including Hay and Hutton-in-the-Hay), New Hutton, Old Hutton and Holme Scales, Docker, Lambrigg, Grayrigg, Whinfel, Fawcet Forest, Whitwell

¹ "Celtic Britain," S.P.C.K., p. 230, where the Professor, quoting no authority, says: "Kendal is supposed to be the site of the ancient town of Concangium."

² *Saturday Review*, November 14, 1891.

and Selside, Skelsmergh and Patton, Burneshead, Strickland Roger, Strickland Ketel, Long Sleddale, Kentmere, Crook, Winster, Over Staveley, Nether Staveley, Hugill, Underbarrow and Bradley Field; and fifteen chapelries, viz., Kendal, Helsington, Natland, New Hutton, Old Hutton, Grayrigg, Selside, Burneshead, Long Sleddale, Kentmere, Crook, Winster, Staveley, Ings, and Underbarrow. The parish was anciently larger, for Windermere and Grasmere were parts thereof, though they have now obtained by reputation the names of distinct parishes, and are the only rectories within the barony of Kendal.

Kirkby Kendal itself, or the Church Town in the Vale of Kent, or Kentdale, has, luckily for itself in the past, not so much of interest to record as had Appleby. To Appleby the access for Scotch raids was easy—up the valley of the Eden; to Kendal it was difficult—over the passes of Dunmail Raise and Kirkstone; and if the municipal development of Kendal was not so rapid or so highly organized as that of Appleby, still, the inhabitants of Kendal had compensation in being allowed peacefully to attend to their work. And yet they were no craven crew; the parish of Kendal was famed for the bravery of its bowmen.

These are the bows of Kentdale bold,
Who fierce will fight and never flee.

“Battle of Flodden.”

The town of Kendal has gradually risen to its present importance; in the reign of Richard I. Gilbert FitzRoger FitzReinfrid had, in consideration of twenty marks of silver paid to that King, the grant of a market every Saturday at Kendal (*forum per diem Sabbati in Kirkeby in Kendal*). In 3 Edward II. Marmaduke de Thweng, Lord of the Lumley Fee, and William de Roos, Lord of the Marquis Fee, had a charter for a market and a fair, and Christian, the wife of Ingelram de Guisnes, Lady of the Richmond Fee, a similar charter in 7 Edward III.—

grants which were confirmed by the subsequent charters of incorporation of Queen Elizabeth and of Charles I. At one time all the wool of England was exported to the Netherlands, and manufactured into cloth there, to the great gain of those countries. Edward III., however, introduced the manufacture of woollen cloth into this country, and induced, by means of agents sent abroad for that purpose, persons skilled in the business to settle in various parts of England under letters of protection. One of these letters of protection was in favour of John Kempe, of Flanders, and he is said to have settled at Kendal, and it has been suggested that his descendants are still remaining in the town or neighbourhood.¹ Be that as it may, the manufacture caught on at Kendal to such an extent as to be associated with the name, and Kendal cloth became the name of a coarse dark-green drugget, made at Kendal and other places, which was for several centuries the common clothing of the poor in London and elsewhere. For such cloth the somewhat coarse wool of the fell sheep would be well suited, and the "dyer's broom" (*Genista tinctoria* of Linnæus), which was used for giving the colour, flourished in large quantities on the commons and marshes round Kendal; this was collected and brought into Kendal market by the country people for sale to the dyers. The manufacture of this cloth was not confined to the town of Kendal; in the palmy days of the trade, country weavers were spread throughout all the neighbouring villages and hamlets; these men brought their cloths to Kendal market, and sold them to the shearmen-dyers, who trimmed and dyed the cloths. The "steads" or sites of many disused "walk mills" or fulling mills upon the Kent and other streams still pay mill-rents to this day, though not a vestige of them remains.² The Kendal cloths were also

¹ "The Annals of Kendal," by Cornelius Nicholson, p. 235.

² *Ibid.*, p. 239.

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For more of the information about the manufacture of Seminal
 Cream, see either the introduction to Mr. Cornelius Nicholson's "Annals of
 Seminal Cream" or the book.

The home trade declined as modern fashion demanded a more elegant fabric for wearing apparel, and the celebrated Kendal cottons became degraded, says Mr. Nicholson, to "horse-clothing, floor-cloths, dusters, mops, etc."

Kendal was the headquarters of another ancient flourishing trade—that in hand-knit worsted stockings. The hosiers, or badgers, used to attend the markets of all the towns in the neighbourhood—and at stated times all the villages and hamlets—to give out worsted and collect the stockings that had been knit in the interval since their last visit. Mr. Nicholson says that in 1801 the average quantity of stockings made for the Kendal market weekly was :

In Ravenstonedale	-	-	-	1,000 pairs.
Sedbergh and Dent	-	-	-	840 "
Orton	-	-	-	560 "
				2,400 pairs.

These were purchased by army contractors, who required many thousand pairs; but, unluckily for Kendal, the British army suddenly ceased to wear knee-breeches and long stockings—the British army took to long trousers and short socks, and the Westmorland dales and the Kendal trade in stockings were ruined.

Trades in any way subservient to the wool trade naturally flourished at Kendal, such as card-making for the dressing of wool. This was an ancient Kendal industry, and has been carried to great perfection by the use of almost self-acting machinery, which bends and cuts the wire, punches the leather, and sets the wire by a simultaneous and instantaneous operation. The leather trade at Kendal has long been one of great importance; in 1673 the inhabitants of Kendal, in a petition to the King, suggested it was a very considerable industry, which might well be tolled, and in 1724 it is recorded that

the tanners paid between £1,600 and £2,000 per annum by way of duty. This trade still flourishes, in the way of making upper leathers for shoes. The trade in fruit was also considerable in 1673, and the inhabitants considered that it, as well as the leather trade, could well bear a toll—to go, be it noted, not to the King, but into the common chest of the Corporation. Marble-working, horn-comb manufacture, paper-making, and carpet-weaving are more modern industries at Kendal, but still of respectable age, while “Kendal brown” and “Kendal rappee” are specialities well known to most snuff-takers.

As one would expect with so many trades flourishing in Kendal, trade or craft guilds were numerous there; the following is the list taken from “The Boke of Recorde of the Burgh of Kirkby Kendal,”¹ together with the regulations for the election of the wardens, which are important as showing the relative importance of the trades combined in one guild; the date is 1578.

TWELVE SEVERALL COMPANYES.

1. *Chapmen Marchannts and Salters*² May choise ij wardons wheroft th'one to be yearly a Chapman, Thother a Marchannt or Salter.
2. *Marcers and Drapers Lynnen and Woollen* May choise ij wardons where of th'one to be A Mercer thother A wollen or Lynnen drap^r or A m'cer occupyinge Wollen Drapye.
3. *Shearmen fullers Dyers Websters*³ May Choise iiij wardons and all to be Shearmen yearlye.
4. *Taylers Imbroderers and Whillers*⁴ May Choise iiij^{or} ij wardons all to be tayllers yearlye.
5. *Cordyners⁵ Coblers and Curryers⁶* May Choise iiij or ij wardons all being Cordyners yearly.

¹ Published by the Cumberland and Westmorland Antiquarian and Archaeological Society in their Extra Series.

² Drysalters.

³ Weavers.

⁴ To welt is to border or hem.

⁵ Shoemakers.

⁶ A currier is a leather-dresser. By 1 Jac. I., c. 22, section 20, a currier could not be a “tanner, cordwainer, shoemaker, butcher, or other artificer usinge cutting of leather.”

6. *Tanners Sadlers and Girdlers*¹ May Choise ij^o wardons whearoff one to be a Tanner and thother A Sadler and Girdler yearlye.

7. *Inholders and Alehowsekeepers and Typlers*² May Choise iiij^o wardons wheroff ij^o be Inholders and other ij^o Alehowsekeepers.

8. *Butchers and ffishers* May Choise ij^o wardons bothe to be Butchers yearlye.

9. *Cardmakers and Wyerdrawers*³ May Choise ij^o wardons and bothe to be Cardmakers yearlye.

10. *Surgons Scryvyners Barbors Glovers Skynners Parchem^t and Poyntemakers*⁴ May Choyse ij^o wardons thone to be A Glover yearly.

11. *Smythes Iron and Hardware men Armerers Cutlers Bowyers ffletchers⁵ Spuryers Potters Panners Plumbrs Tynkers Pewterers and Metallers* May Choise ij^o wardons whereoff one to be a blaksmythe ye'lye.

12. *Carpenters Joyners Masons Wallers Sclaters Thatchers Glasiers Paynters Pieysterers Dawbers⁶ Pavers Millers and Cowpers* May Choise ij wardons whereof th'one to be A Carpent^r or Joyner.

Certainly some of the guilds, to judge from their miscellaneous constituents, unequally yoked together, seem rather a job lot. We are well accustomed to barbers and surgeons being yoked together—scriveners and parchment-makers have common interests—but when to these four glovers, skimmers, and point-makers are added, we realize that mediæval and modern ideas on professions and trades are far apart; it is noteworthy also that the glovers are reckoned the one half part of the guild, quite outweighing in importance the surgeons and scriveners, but glovers everywhere in mediæval times were among the aristocracy of trades. A skinner and a glover naturally go together; the first treats skins of sheep, goats, lambs, kids, etc., with alum, and makes them

¹ Makers of saddle-girths, etc., not here of girdle-plates for making cakes.

² Beerhouse-keepers.

³ Card-makers made the cards for dressing the wool, and wire-drawers prepared the wire for the teeth of the cards.

⁴ Points were strings of parchment, leather, etc., with tags to them.

⁵ Arrow-makers.

⁶ Builders of clay or mud walls, mixed with straw.

into white leather, which the glover deals in, making both gloves and breeches. A tanner, on the other hand, treats the skins of cattle with bark,¹ and makes them into hides. The Shearmen-Dyers were a powerful body in Kendal, and seem to have been two companies combined into one at an early date, the shearmen and the dyers; in 1666 the shearmen issued a token:

Obv. COMPANY OF SHEARMEN—In the field, a pair of cropper's shears.

Rev. IN KENDALL—The shearman's teasel brush or frame.

These were the tools of the trade, and required dexterity to use properly. The large square-ended shears (the wool-shears of heraldry) were used by the croppers in dressing the nap, to cut all the long hairs off the cloth; and unless great care and precision were used, there was danger of cutting the cloth, so that none but experienced workmen were employed, and they earned great wages. The teasel brush, or frame in which a number of heads of the vegetable teasel (*Dipsacus fullonum*) were set, was used for brushing the cloth; these operations are now done by machinery, but the vegetable teasel continues to be used.² "The Mercers' company in Kendal" also issued a token in 1657, with their arms on one side and those of the town on the other.

These guilds fell to pieces in the last half of the last century; they had not, as at Carlisle, the possession of the municipal franchise to ensure their coherence, or, rather, to ensure ambitious politicians finding the money necessary for that coherence; their trade regulations and restrictions were out of date, and behind the times; the

¹ Both the skinner and the tanner nowadays use chemicals.

² Another Kendal token bears allusion to the staple trade; thus the token of Thomas Sandes, of Kendal, dated in 1656, bears a teasel and a wool-hook on the *obverse*, and a woolcomb on the *reverse*. Three wool-hooks appear in the first and fourth quarters of the arms of the Corporation of Kendal, and three teasels on the second and third. The apt motto is *Pannus mihi panis*.

last to survive was the Cordyners', or Shoemakers', and it died fighting for its mediæval rights in an attempt to impose a fine upon persons, not being free of the company, setting up business within the borough; the Hampden who resisted them was one Robert Moses, and his refusal broke up the last of the Kendal guilds.

These guilds were trade or craft guilds; we find little trace of the existence of any guild mercatery, nor was there any such protracted struggle between the trade and guilds on the one side, and the guild mercatery on the other, as enlivens the municipal history of Carlisle for many a century. A festival occurring once in every twenty-one years may prove the existence of a guild mercatery. The last of these festivals took place in 1759, and was "carried," says Mr. Nicholson, "to such an extravagant height that many of the tradesmen were ruined by the expenses, and the festival has consequently ever since been discontinued." Mr. Nicholson cites a poetical account of it, which, long as it is, we cannot refrain from quoting, as it gives a most interesting and realistic picture of mediæval pageantry.

Kendal long famed for trade and useful arts,
Sends forth her skilful sons with joyeous hearts,
Cloathed with the product of their native land,
Wrought with the labour of each artist's hand.
In order ranked, they march with solemn pace,
With music, flags, and every martial grace.

WOOLCOMBERS.

See JASON first, the advent'rous prince appear,
A chief well skill'd in arms, untaught to fear,
Who the wide swelling ocean ventured o'er
To fetch the golden fleece from Colchian shore.
A shepherd, too, and his fair shepherdess
In all the gaiety of rural dress.
With mitred prelate,¹ reverend for his age,
His steed on either side led by a page ;

¹ Bishop Blaize, the patron saint of the woolcombers, chosen as having been tortured to death by woolcombers.

Precede the Combers, deck'd with finest wool
Refined by passing thro' the pointed tool.

TAYLORS.

See our first parents next in order go,
Adam and Eve, who first taught men to sew,
Cloath'd with green leaves to hide their nakedness,
Nor knew, nor wanted they a finished dress.
But Taylors followed, who've improved the art,
And cut and suit the cloth to ev'ry part.
They cloathe the rich, the poor, the young, the old,
And screen our bodies from the pinching cold.
Then honour'd brother Hawkwood,¹ too, appears,
With his brave aide-de-camp and grenadiers,
Who could not only shape, but fight,
The favourite of a king, a martial knight.

SHEARMEN-DYERS.

In solemn pomp the warlike Edward² shines,
His art more useful than the Indian mines ;
He taught the haughty Gaul his arms to dread,
And trade among his happy Britons spread.
Our Kendal shar'd the prudent monarch's care,
And feels the favours both in peace and war.
With him the joyful Shearmen-dyers come,
Whose sole dependence is upon the loom ;
The weavers find employment for them both,
These give a colour, those refine the cloth.
Stuff from the weavers, yet unfit to wear,
Of homespun wool, they tenter dress and shear,
And make it like the finest cloth appear.
The Dyers stain it beautiful to view,
With crimson, scarlet, never-fading blue ;
Thus English wool by Shearmen Dyers wrought,
Equals the finest silks from India brought.

WEAVERS.

Minerva next appears, a warlike maid,
The fam'd inventress of the weaving trade ;

¹ Sir John Hawkwood, the famous chief and leader of free companies in Italy and Spain in the fourteenth century, was a tailor originally, though a member of a good English family.

² Edward III., *ante*, p. 165.

And poor Arachné, who, as poets tell,
Was made a spider, but for weaving well.
Their train the sons of art, a num'rous band,
Who guide the shuttle with a nimble hand,
Most neatly dressed with labour all their own :
A prettier sight in Kendal never known.

SHOEMAKERS.

Lo ! Crispianus comes, of royal race,
A youth adorned with ev'ry princely grace ;
An honour to the gentle craft, and still
Of equal fame in military skill.
Next Crispin, chief of Shoemakers, appears,
Attended by six stately grenadiers ;
With him his lovely spouse, a princess born,
Fair Ursula, more beauteous than the morn.
To these succeed the brothers of the trade,
With each a splendid sash and gilt cockade.

IRONMONGERS AND METALMEN.

Next march the Smiths, inur'd to toil in fire,
Without whose aid all arts must soon expire ;
The god of fire, great Vulcan, leads them on,
Arm'd at all points, and glitt'ring like the sun.
Not like the limping god whom poets feign
In bands of wedlock join'd to beauty's queen ;
But like the god of war prepared to charge,
So broad his shoulders and his limbs so large.
His band all men of metal, brisk and gay,
Their dress bedecked with steel as bright as day ;
Or those that melt the iron from the ore,
Or forge the anchor for the sounding shore ;
Or with the hammer beat the ductil gold,
Or various forms of shining silver mould.

TANNERS.

Next march the Tanners, fam'd in days of yore
For tanning hides for shields which heroes bore.
Who has not heard of Ajax's sevenfold shield,
Which nor to sword nor missive spear would yield,
And wont as much admire, as much adore,
The Tanner as the Chief the buckler wore ?

BUILDERS.

The glorious Builders next salute our eyes,
 By whom aspiring domes and temples rises ;
 Our splendid palaces, our ample squares,
 Our stately bridges, castles, all are theirs.
 Our Merchant vessels, all our ships of war,¹
 Are model'd, wrought and finished by their care.
 Britannia's glorious guards ! To them we owe
 Whatever praises Britons can bestow.

GLOVERS AND SKINNERS.

Skinner and Glovers, who with nicest care
 Provide white kid for the new married pair,
 Or nicely stitch the lemon-coloured glove
 For hand of beau to go to see his love.
 Before them see the Conqueror, William, ride,
 Led by a page in buff on either side.

MERCERS.

The mercers next appear, a godly train,
 For whom our hardy sailors plough the main ;
 Fraught with the labour of our artists' hands,
 Thro' hottest climes they roam to distant lands.
 From whence they bring the richest treasure here,
 To pay us well, for what we well can spare.
 Those bring whatever may please the nicest eye,
 Or the most luscious palate satisfy ;
 These bring the kind preservatives of health ;
 These are the government's and people's wealth.

MAYOR, ALDERMEN AND OTHER GENTLEMEN.

See, last, the sword of justice and the mace
 Are borne before the Mayor with courtly grace ;
 Twelve Aldermen his courtly train compose,
 Who dressed in decent state, the grand procession close.
 These are the guardians of our liberty,
 The representatives of Majesty ;
 Who keep the peace and execute the law,
 Reward the good and keep the bad in awe.
 Long may they rule, and each offender bring
 To punishment and shame.—GOD SAVE THE KING.

¹ The builders included carpenters.

The sentiments and the loyalty are better than the somewhat halting verse. The numbers of each guild who "walked" on this occasion were: Woolcombers 100, Tailors 150, Shearmen-Dyers 80, Weavers 300, Shoemakers 100, Ironmongers and Metalmen 80, Tanners 60, Builders 100, Glovers and Skinners 70, Mercers not numbered.

The extent of the trade carried on at Kendal in the last century may be estimated from the quantity of goods brought into and carried out of the town weekly by the packhorse carriers prior to 1752, in which year an Act for a turnpike road through Kendal was passed.

	Horses.
One gang of packhorses to and from London every week of about - - - - -	20
One gang from Wigan weekly - - - - -	18
One gang from Whitehaven weekly of about - - - - -	20
From Cockermouth - - - - -	15
Two gangs from Bernard Castle - - - - -	26
Two gangs from Penrith twice a week, about 15 each gang	60
One gang, about 15, from Settle twice a week - - - - -	30
From York weekly about - - - - -	10
From Ulverston - - - - -	5
From Hawkshead, about 6 twice a week - - - - -	12
From Appleby, about 6 twice a week - - - - -	12
From Cartmell - - - - -	6
Two waggons from Lancaster twice a week, computed at 60 horse load - - - - -	60
Carriages two or three times a week to and from Milnthorpe, computed at 40 horse load - - - - -	40
From Sedbergh, Kirkby Lonsdale, Orton Dent, and other neighbouring villages - - - - -	20
	<u>354</u>

Besides 24 every six weeks from Glasgow.¹

The first stage-waggons from London to Kendal, in the place of packhorses, began 1757. The first post-chaise kept for hire in Kendal was in 1754, and the mail-coach began to run from Kendal to London in 1786.

The road to Lancaster must have been of great im-

¹ Nicolson and Burn, vol. i., p. 66.

portance to the Kendal traders, as giving the opportunity of having their goods shipped there for the colonies, either directly or by Liverpool. So vital was it to facilitate communication between Kendal and the sea, that a canal was made between Kendal and Lancaster, which opened, amid great rejoicings, on June 18, 1819. Mr. Nicholson says :

This event gave an impulse to the public spirit of the inhabitants, and formed the commencement of a new era in the history of Kendal. It discovered new channels of commerce ; it brought that necessary commodity of manufacture, coal, at a cheaper rate ; and by adding facilities, which had long been desiderated, to the exportation of our produce, caused an increase of wealth and an increase of the working population, and thus contributed at once all the means of commercial prosperity and public accommodation.¹

A great increase of the town and many improvements date from this period. It is much to be regretted that, when the Lancaster and Carlisle Railway was made (1844-46), it was found impossible to bring the line nearer to Kendal than the slopes of Benson Knot. Kendal had, therefore, to be connected with the main line by a branch, which is continued to Windermere.

The first charter of incorporation granted to Kendal was by Queen Elizabeth, in the eighteenth year of her reign, 1575. The inhabitants of the Vill (it is called in the charter *villa antiqua et populosa*) of Kirkby in Kendal, petitioned the Queen for a charter of incorporation, and raised, by a house-to-house visitation, as it would seem, the sum of £133 8s. to pay the expenses of procuring the charter. The subscription-list is on record in "The Boke of Recorde of the Burgh of Kirkby Kendall." It is there arranged in the order in which the houses stand in the streets, and so forms a directory of Kendal for the year 1575. Against some names "nil" is recorded, or a blank left, and the sums contributed ranged from the humble twopence to thirteen and fourpence, twenty, and even

¹ "Annals of Kendal," pp. 147, 148.

forty, shillings. The list clearly shows that Soutergate (the present High Street) was the wealthiest part of the town, while the lanes leading out of it were the poorest. The whip was evidently a severe one; the widow's mite was not refused, and £18 3s. 1d. was extracted from the "young and unmarried." The charter incorporated the vill by the name of "The Alderman and Burgesses of the Burgh of Kirkby in Kendal," and the government was entrusted to an Alderman and twelve capital burgesses; a Recorder and two sergeants-at-mace gave dignity to the new body. The Alderman, the Recorder, and one of the capital burgesses were to be justices of the peace. The other clauses of the charter are such as are usual in charters of incorporation, but a special clause reserves to George, Earl of Cumberland, his rights as Sheriff of Westmorland. So soon as the charter was granted, Henry Dycksonn, one of the burgesses, presented a large book of blank paper to the burgh, and the Town Clerk, Richard Harrison, put the following title on the first page :

A Boke off Recorde or

REGISTER CONTAYNINGE ALL THE ACTS AND DOINGES IN OR
CONCERNINGE

THE CORPORATION W'IN THE TOWN KIRKBIE KENDAL
BEGYNNYNGE AT THE FFIRST ENTRANCE OR PRACTYSINGE
OFF THE SAME WCth WAS THE EIGHTE DAY OFF JANUARIJ
ANNO REGNO DNE ELIZABETHE DEI GRA ANGL FFRANC
ET HIBNE REGINE FFIDEI DEFENSOR ETC DECIMO OCTAVO 1575

Kirkbiekendall

Anno dni 1575¹

¹ "The Boke of Recorde," the charter of Elizabeth and those of Charles I. and Charles II., presently to be mentioned, have been printed and published in their Extra Series by the Cumberland and Westmorland Antiquarian and Archæological Society.

In 2 Charles I. another charter was obtained, which materially altered the first: a new governing body was constituted, viz., a Mayor, twelve Aldermen, and twenty capital burgesses. This new charter, under pressure from the Lord Chief Justice, Sir George Jefferies, was surrendered in 1683, and a second new one granted, that of 36 Charles II., which enacted *verbatim* most of the charter of Charles I., with a few alterations, but contained the clause, then always introduced by the Crown after these enforced surrenders, reserving to the Crown power to displace and remove the Mayor, Recorder, Aldermen, or any other Corporation officials at pleasure. There is no doubt that the good men of Kendal, when they surrendered, under pressure, the charter of Charles I., expected to derive some solid advantages, etc., from the new charter. The matters which they desired were embodied in a petition to the King, of which the following is the prayer:

1. That his Majesty would be graciously pleased to grant us his royal charter, *de novo*, humbly submitting to whatever alterations his Majesty in his great wisdom shall think fit to make therein.

2. We enjoy the tolls of the market here, which we hold by lease from the Crown, under the yearly rent of £15. We have all along managed the said tolls to the best advantage we could, and yet never made above £17 per annum of them. So that the yearly profit will not cover the charge of renewing our lease, as we ought to do, once in ten years. Wherefore, if his Majesty would be pleased to grant us the said toll in fee farm of £15, it would be a great ease to the Corporation, and not prejudicial, we think, to his Majesty's interest.

3. These tolls have been anciently, almost time out of mind, received by us; yet of raw hides and apples no toll was ever taken here, in regard (as we conceive) that heretofore they were not worth the taking notice of. But now the trade in leather and fruit being grown very considerable, if, by our charter, or otherwise, such power were given us as might justify our taking toll thereof, it would be a benefit to the Corporation, and no less so to his Majesty, nor burden to the people, but what they are liable to in other markets.

4. There is adjoining to the town a parcel of waste ground called Dob Freer,¹ which is all the common of pasture that is belonging to

¹ The Dob Freer was the then unenclosed portion of Kendal Fell.

the town, and is no more than a hill full of rocks and stones. The fee and soil thereof doth belong to the Crown, but is of little or no advantage to his Majesty, neither is it worth to the Crown above £5 per annum, but might be of greater use and benefit to us if his Majesty were pleased to grant us the soil and inheritance thereof.

5. We repair and uphold two large bridges, and the half part of a third bridge, at our own proper costs and charges, which is a burden too heavy for us to bear. But if in consideration thereof his Majesty would be graciously pleased to grant us a thorough-toll of one penny or halfpenny only for each pack of goods passing into or out of the town, it would be some ease and benefit to us, and is no more than what Carlisle enjoys in a much greater measure throughout the whole county of Cumberland, for all sorts of goods and chattels passing into or out of the said county.

This petition was backed up by letters to the Lord Chief Justice, Sir George Jefferies, to the Lord Keeper, Francis Lord Guildford, and to Sir Christopher Musgrave, asking for their assistance in attaining the concessions sought, and in these letters the burgesses reminded the first two that they had honoured the Corporation by becoming freemen of Kendal; indeed, the Lord Chief Justice had actually taken "oath to become a buxome [obedient] and beneficial member." But their great friends failed the deluded burgesses, and they got nothing by their new charter that they had asked for.

The surrender of the charter of Charles I was never enrolled, and was therefore void under the proclamation of October 17, 1688, issued by James II.¹ Nicholson (Cornelius) in his "Annals of Kendal," p. 177, says the charter of Charles II. continued in force until the Municipal Corporation Reform Act of 5 and 6 William IV., c. 76. But this is very questionable; for the surrender of the charter of Charles I. being void, the grant of that of Charles II. was also void as being granted in consideration of a void surrender. A precisely similar

¹ See Nicholson and Burn, vol. i., pp. 67-72; vol. ii., pp. 584-589; "Municipal Records of Carlisle," pp. 18-22.

In 2 Charles I. there the charter of materially altered a nullity since the constituted, viz. and that of Charles I. capital burghs governing charter, and the Lord Ch. of course, by 5 and 6 rendered in I think that at Kendal the 36 Charles II. as above, is still in force. of Charles I. opinion of those able lawyers, clause, the turn, but the practice at Kendal enforced consider the charter of Charles displace ter. The question is now one of any other of practical interest. doubt the of Kendal is a spacious and very und Perpendicular architecture, dedicated Trinity. It consists of nave with clere-The four side aisles, these being of great proportion to their length, 103 feet to 140 of Bellingham and Strickland families have monuments in the church. There were also endowed chantries. This church, with given by Ivo Tailbois to St. Mary's Abbey After the dissolution of the monasteries the advowson of the vicarage, was granted Mary in the first year of her reign to Trinity Cambridge. Her Majesty, it appears, was to do something for the benefit of her father's and wished to institute prayers for its benefit. Her however, insisted that her parent was far past for, and persuaded her to benefit Trinity College, as the best institution he ever helped, by leaving it with the rectory and advowson of Kendal church. To this day that college enjoys the and the living has been held by many of its most distinguished worth.

The Grammar School at Kendal was founded, in 1525, by one Adam Pennington, of Burton, in Lincolnshire,

was insufficient, and had to be supplemented, in 1582, to provide a building. It was reorganized under a new charter, and was not represented in Parliament until 1832, when it has returned one member.

APPENDIX.*Kendal Castle.*

The castle hill of Kendal is a long, narrow oval, whose longer axis runs a little east of the north and south ; it is on the left bank of the river Kent, and its summit is some 170 feet above the level of that river, or about 300 feet above the Ordnance *datum* line. The sides of the hill are precipitous to the east and west, less so to the north and south. The summit of the hill has been isolated by a deep moat, with very steep scarp and counterscarp, enclosing a nearly level and circular area, about 250 feet in diameter. The depth and formidable nature of this moat makes it probable that it is earlier than any of the existing stonework. Some writers have suggested that this has been the site of a Roman camp, and they rely on the following arguments : (1) That this is such a site as the Romans would have occupied. (2) That a gold coin of M. Aurelius has been found, or said to have been found, within the *enceinte* walls.¹ (3) That to the north of the castle was "a square area that had been fortified with a deep moat, and connected to the castle by a drawbridge, where was probably the base court."² But these arguments are of little value : the fact of one coin only having been found proves nothing in the absence of the usual evidences of Roman occupation—namely, potsherds and other *débris*. Nor is this hill a likely place for the Roman engineer to have selected for a camp ; he might have put a look-out post on the very summit ; as for the "square area with a deep moat," it is nothing more than the base-court to the circular area on the summit, or inner ward, where dwelt the great thane or franklin, who preceded the first Norman baron of Kendal. His fortress would have no stonework about it at all, but

¹ "Topographical and Historical Description of the County of Westmorland," by Hodgson, p. 198.

² West's "Guide to the Lakes," 2nd edition, p. 178.

the scarp of the moat, both of the inner ward (or circular area) and of the base-court (or square area), would be surrounded by strong palisades of oak, while the owner's house in the inner ward would be built of half-trunks of trees, set upright between two waling pieces at the top and bottom. The base-court would probably be occupied by huts and sheds of dab and wattle, for the retainers and for the cattle, and the communication between the inner ward and the base-court would be over a movable bridge of planks, as also would be the entrance from without to the base-court, which probably was towards Stramongate bridge, though probably no such bridge then existed. One word as to the moat. There has been much discussion locally as to where the water was got from to fill it. But it was never intended to hold water ; as a matter of fact, the soil is too porous to hold water : its depth and size shows it was not intended to be filled with water. Seven foot of water will drown a man who cannot swim just as well as seventy, and seventy will no more hurt one who can swim than seven. The value of this moat as a defence consists in its depth, in the steepness of its scarp and counterscarp, and the strength of the palisades which surmounted the scarp. This, the original fortress, would date from somewhere between the eighth and ninth centuries, and the occupation of the district by the Normans.

The stonework now remaining consists of an encircling or *enceinte* wall, four towers or bastions, and some remains of domestic buildings. The present entrance is by a causeway of earth at the north side ; old inhabitants say that there were once walls here, such as would support a drawbridge. Two vast lumps of stonework lie here in the moat, and one is at first disposed to think gunpowder must have been the agency that toppled them over, but no evidence exists of the castle having been "slighted," and their downfall is most probably due to the failure of their foundations. They are shown in their present condition in Buck's view of the castle, dated 1739.

The *enceinte* wall is ruined at the gate, but runs thence right and left round the circular area ; it does not, however, return at the south into itself. The diameter of the eastern semicircle is about 20 feet longer than that of the western, so that the area enclosed is shaped like a snail. The *enceinte* wall itself is built of the intractable Silurian stone of the neighbourhood ; it has neither base course (beyond a footing), set off, plinth, pilaster, nor buttress ; with one exception, it is absolutely devoid of architectural features from which its age can be gathered. Its battlements are gone, and with them a considerable portion of its height ; the rampart walk has disappeared, and only in three or four places does its inner face remain ; the work is of the coarsest, and the mortar daubed about so plentifully as to suggest the

idea that the wall had once been rough cast. It seems that the stones of the inner face were probably used in 1813,¹ when extensive repairs were done, to patch up the outer face, a thin and modern wall having been raised on the foundations of the outer.

On the north-east a square tower, open at the gorge, projects some eighteen feet from the *enceinte* wall; its front measures about twenty-eight feet, and is without openings for light, but there are loopholes in its sides; it is of the same material as the *enceinte* wall, and has no ashlar quoins; it is in three stages, or floors, with external sets-off on the front at each floor level; according to Buck's view, it was once a floor higher. The basement is a receptacle for sewage, draining into the moat by a very large opening. Between this tower and the snail-like projection at the south the wall is utterly devoid of flanking defences, and the garrison must have trusted to the depth of the moat, the steepness of the scarp and counterscarp, and the strength of their direct fire. The rampart walk may have had machicolations, so as to enable the garrison to annoy any besieger who had reached the foot of the *enceinte* wall.

At the south the straight line of the snail is occupied by a thin modern wall built upon the foundations of the eight-foot thick *enceinte* wall. Tradition says there has been a postern gate here; a crack in the *enceinte* wall is repaired with red sandstone (query, if the shoot of a *garde-robe*), and there have been some chambers in the interior: one may have been the "dove cote in good repair" which a survey of 1572 describes as being "in the south side." Dovecotes, and dovecotes of large size, were very usual adjuncts to a manor-house, and Kendal Castle has been, though called a castle, rather the fortified residence of a great baron than a place of great military importance.

On the west side is a small drum tower of no internal projection, and about half disengaged on the outside; it is a bastion rather than a tower, and is now full of earth, but probably contained in its upper story, now gone, a chamber, or *garde-robe*, accessible from the rampart walk. Its diameter is about 18 feet. On the north-west is a drum tower of about 22 feet in diameter, projecting about equally without and within the *enceinte* wall; its wall is 6 feet thick, and it contains on the ground floor a vaulted chamber, which is entered from the inner ward by a narrow doorway with straight sides and lintel; the door has shut from the inside against checks, and there is a recess in the doorway for it to fall back against; there is a loop into the chamber; there is apparently no access from it to the upper floors, and a proper

¹ "Annals of Kendal," Nicholson, p. 97.

search could not be made ; the upper floor seems to have *garde-robes* ; it has also had a large window looking to the inner ward.

The remains of the domestic buildings are in the interior, on the north, contiguous to the projecting square tower noticed before. The survey of 1572, from which we have already quoted, describes them thus —“within the same no building left, saving only on the north side is situate the part of the gateway, the hall with an ascent of the stairs to the same with a buttery and pantry at the end thereof : one great chamber, and two or three lesser chambers, and rooms of ease adjoining the same, all being in decay both in glass and slate, and in all other reparations needful. Under the hall are two or three small rows of cellars.” Great destruction has been wrought in the 300 years that have elapsed since this survey was written : the gateway is gone altogether, and the ascent of stairs to the hall ; the two or three small rooms of cellars are yet to be seen, and one has a fireplace in it, but can hardly have been the kitchen ; the “lesser chambers and rooms of ease” occupy the projecting square tower, at the entrance to which a singular drain or shoot of a sink should be noticed ; this is probably near the pantry and buttery, in which case the other end of the hall would be the high or dais end with the great chamber behind it ; the two large arches probably mark the buttery hutches, and the screens with the music-gallery over them would be a few feet in front of them.

With regard to the age of the stonework, little assistance is to be got from it. Godwin in the “English Archæologist's Handbook” gives in his list of English castles, “*Kendal*, Westmorland, said to have been originally built by Ivy de Talboys, *temp.* Stephen, 1135-54.” The earthworks are, as we have endeavoured to show, much older, and we should not be surprised if the stonework was later. Towers of a cylindrical shape, known as donjons or juliets, began to supersede the Norman square keeps and shells in the middle period of the Early English style in ecclesiastical architecture, in the reign of Henry III.¹ Judging from the round tower at the north-west angle, we are inclined to put down the reign of Henry III. as the date of the stonework of Kendal Castle ; that it was called a castle before then is no objection. The Conqueror found scores of castles in England consisting solely of palisaded earthworks.

The castle of Kendal has little or no history ; it is not even in the second rank of castles of the northern counties, it is not recorded to have sustained sieges, or to have been carried by assaults, or surrendered by treachery. Its history is that of the families who held the

¹ “Mediæval Military Architecture,” vol. i., p. 148.

barony of Kendal, and the Marquis Fee after the division of the barony.

Kendal Castle was probably abandoned as a residence, if not dismantled, by the Marquis of Northampton, and the survey of 1572 shows that the windows were broken, and the roofs out of order. It would speedily go to rack and ruin. No credence is to be attached to the story that the castle of Kendal was battered down by Oliver Cromwell.

The ruins were repaired in 1813, and a large sum has recently been laid out upon them by the late proprietor, the late Lord Bective, M.P., under the superintendence of Mr. T. Wilson, of Kendal, who has taken a very genuine and loving interest in the matter.

The mill, that invariable concomitant of a castle, is to the west, and still bears the name of "the Castle Mills," though it does not now grind corn.¹

¹ Abbreviated from a paper on Kendal Castle, by the writer of this book, in the *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. ix., p. 178.





CHAPTER XIII.

THE NORMAN SETTLEMENT : IV.—THE CHURCH.

IN the year 1092, when the Red King added the land of Carlisle (which includes the barony of Appleby) to the English kingdom, religious matters were in that district in a very disorganized state. The two great sees of Glasgow and of Durham had conflicting claims to jurisdiction over it, while the latter was in possession of, probably, the larger portion. No religious house existed within its limits, those that had existed at Carlisle or Dacor within those limits, or at St. Bees, just without them, having perished under the Danes in 876. In the wilder parts, the inhabitants would be, to the minds of the adherents of the Roman use, little better than uncivilized heathens. The English additions to the land of Carlisle, which made it up to the district which afterwards became the counties of Westmorland and Cumberland, were subject to the See of York; they also had no religious house within their limits: these additions remained in the See of York until Henry VIII. founded the See of Chester, to which they were transferred, and in which see they remained until the year 1856. In 1133 Henry I. constituted the land of Carlisle into the bishopric of Carlisle, and appointed an Englishman, Æthelwulf, who had been in succession Prior of St. Oswald's, at

Nostall, in Yorkshire, and Prior of Carlisle, to be Bishop of the new see. Our readers will understand that the boundaries of the bishopric of Carlisle, as it existed from its foundation, in 1133, to 1856, included only a portion of the two counties of Westmorland and Cumberland. In 1856 the boundaries were extended so as to include Lancashire north of the Sands, all Westmorland, and all Cumberland, except the parish of Alston. The additions of 1856 to the See of Carlisle formed the archdeaconry of Westmorland, while the old portion of the see was the archdeaconry of Carlisle, which was conterminous with the land of Carlisle; the boundary between these two archdeaconries was thus one of great historical interest from both a civil and a religious point of view. The historian and the archæologist cannot but regret that it has been abrogated by the foundation, in 1884, of a new archdeaconry, that of Furness, and a consequent rearrangement of parishes and boundaries.

The Normans were well aware of the advantages to be obtained from the establishment of religious houses in wild and little civilized districts. At the present day the missionary goes first, and the trader follows after—sometimes they are combined—into Africa or Australasia; so of old the monk or the canon was the pioneer of civilization and of commerce, as well as of religion. Westmorland is not very rich in religious houses: a house of Carmelites, or White Friars, at Appleby, a cell at Bleatarn, near Warcop, which was a dependency of the Cistercian Abbey of Byland, in Yorkshire, and an Abbey of Premonstratensians, or White Canons, at Shap, or Heppe, as it was originally called, exhaust the list. Little is known of the White Friars of Appleby, except that they appear frequently in local wills of the last half of the fourteenth century¹ as the recipients of legacies from

¹ Except for this period, the pre-Reformation wills proved in the diocese of Carlisle are not on record. See "*Testamenta Karleolensia*,"

pious testators, either alone or in association with the Black and Grey Friars of Carlisle, and the Austin Friars of Penrith. Little more is known of the Cistercian cell at Bleatarn (the Blue Tarn), a name which appears in some books as Bleatam. The Abbot and convent of Byland had a grant in the reign of Henry II. of the manor of Bleatarn, and at various times they received gifts of property in the vicinity. Naturally, the monks of Byland set up a cell, or establishment, at Bleatarn, which is said to have covered a pretty large parcel of ground, but no trace now survives except in the place-name of "Abbey-park"; in 1777, when Nicolson and Burn wrote, traces of the fish-ponds, which were a necessity of every monastic establishment, were yet to be seen.

The Abbey of Shap is in far different case: its ruins, sheltered in a deep and lovely valley, amid the lofty and bleak Shap moors, still command the admiration of the visitor, who comes upon them by surprise, as everyone must do, however often he has visited the ruins before, so carefully is the abbey concealed in its valley, and so carefully is its tower, now tottering to its fall, calculated just to rise to, but not to overtop, the neighbouring fells—a traveller might cross and recross Shap fells on the line of the great road over them from south to north for years, and never be aware of the existence of the abbey. Shap was a house of Premonstratensian or White Canons, a reformed or stricter order of Augustinian or Austin Canons, and was dedicated to St. Mary Magdalene.

The founder of Shap Abbey was Thomas, son of Gospatric, the old Englishman who surrendered Appleby Castle to the Scotch in 1174, and who was son of Orme and his wife Gunilda, daughter of Gospatrick, Earl of Dunbar. From this Thomas, the Curwens of Working-

ton¹ are descended. He founded an abbey for Premonstratensian Canons at his manor of Preston, in Westmorland. He afterwards endowed them with lands at Shap, whither the community migrated. The charter of foundation, which is without date, is printed in Nicolson and Burn, but Thomas himself died in 1152. The foundation became popular, and we find among their benefactors the names of De Veteriponte, De Clifford, Lowther, Curwen, and others. At the dissolution their revenues were estimated at £154 7s. 7½d. per annum. As they were thus under £200 a year, the abbey was one of those on whom the decree of dissolution first fell in 27 Henry VIII., but either in consequence of its inmates being above the number of twelve mentioned in the Act, or from its having a powerful patron in Henry, Earl of Cumberland, who was high in favour with the King, it received a respite. Not, however, for long. Its surrender took place on January 14, in 31 Henry VIII. "Richard Evenwode was its last Abbot; he signed the surrender, but, for some reason or other, under the name of Richard Baggot. However high the abbey may have stood under the rule of its early abbots, we cannot but see that corrupt times had been fallen upon under the rule of its last. This Richard Evenwode was an absentee. He was Rector of the rich living of Kirkbythore, to which he had been presented by his patron, Henry, Earl of Cumberland, under a contract which, if legal then, would not be now, to pay the previous Rector a pension of £30 a year on his resignation of the living. He appeared, too, to have schemed the appropriation of this rich living to the abbey, and the transaction was all but completed when the dissolution took place. On surrendering the abbey he contrived to secure for himself a good pension of £40 a

¹ See "The Curwens of Workington," by William Jackson, F.S.A., *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. v., p. 181.

year, the remaining canons receiving pensions from £4 to £6 each. The possessions of the abbey were granted to Sir Thomas Wharton, Governor of Carlisle. They remained in the Wharton family till the time of the notorious Duke, when on their forfeiture they were purchased by Richard Lowther, of Maulds Meaburn Hall, and are now part of the Lowther estate."¹

The remains of the abbey consist almost entirely of the church and claustral buildings. The various offices, etc., that stood in the outer court have utterly perished, including even the gateway—a part of the buildings often spared when all else has been destroyed on account of its affording a suitable dwelling for the caretaker put in at the suppression.

The abbey church at Shap, as originally set out, consisted of a short presbytery with a south aisle of the same length, a central crossing with north and south transepts—the latter having each an eastern aisle, and a nave with north aisle only. The western tower was a subsequent addition.

The church was begun very shortly after the foundation, that is, *circa* 1200, and, as usual, at the east end, and was proceeded with in the following order: (1) the presbytery and its aisle; (2) the south transept; (3) the north transept; and (4) the eastern half of the nave, or as much as was sufficient to act as an abutment for the crossing arches.

Then followed the buildings on the east of the cloister, viz. the vestry, the chapter-house, and the warming-house, and in all probability (for there is nothing of it left to tell its own tale) the *dormitorium* or dorter, which occupied the upper floor above all these apartments. The

¹ From a paper by Canon Weston on Shap Abbey, in the *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. x., p. 286.

domus necessaria, or rere-dorter, to the eastward of this range, would also be a contemporary work. At the same time, the unfinished north aisle was carried on a bay further. Then followed the buildings on the south of the cloister, consisting of an extensive range of cellars, with the *refectorium*, or frater, above. The western range, that known as the *cellarium*, or cellarer's buildings, was the next work which, with that immediately succeeding, the building of the western half of the nave and its aisle, also completed the circuit of buildings surrounding the cloister-court. The erection of the infirmary on the south-east appears to have been next undertaken, and was the last of the buildings required for the accommodation and convenience of the canons of the abbey.

The mouldings and other details show that the progress of the work was comparatively slow, and probably an interval of quite seventy years elapsed between the commencement of the presbytery and the completion of the nave.

Later works of which we have evidence are: (a) the elongation of the presbytery and its aisles in the fifteenth century; (b) the erection, *circa* 1500, of the western steeple; and (c) the addition of a clerestory to the nave.

What the west end of the nave was like originally we do not know. The present western tower, which is the most conspicuous portion of the abbey ruins, was built quite at the end of the fifteenth or early in the sixteenth century. It is still standing almost to its original height, but in view of the serious cracks that are visible, it is doubtful how long it will continue to do so, unless something is speedily done to keep the wet out of the masonry, and prevent the growth of plants and shrubs. The tower, though of the plainest character, is not without a certain amount of dignity. None of its windows have cusps to the tracery, and in this and several other features, as well as its general proportions, it strongly resembles the

stately tower of Fountains Abbey, with which it is clearly contemporary.¹

If Westmorland is somewhat deficient in the number of religious houses within its limits, any shortcomings were well supplied by houses just without its limits, such as Furness and Cartmell Abbeys, and Conishead Priory, situated in a district closely connected with Westmorland, and by Wetheral Abbey, in the valley of the Eden.

All the larger churches in the county of Westmorland, *i.e.*, those of Appleby, Kendal, Kirkby Stephen, Kirkby Lonsdale, etc., were at an early date appropriated to St. Mary's Abbey at York. The churches of Westmorland represent much of interest, but to go into them in detail would exceed our limits. Some of the churches in the valley of the Eden are said to have remains of Saxon work, but this requires investigation.

Appleby and Kendal both possessed leper hospitals. Old Hutton, near Kendal, can boast of possessing the only example of pre-Reformation Church plate known in the diocese—a chalice of the middle of the fourteenth century.

¹ A detailed account of Shap Abbey by Mr. St. John Hope, M.A., assistant secretary to the Society of Antiquaries of London, will be found in the *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. x., p. 298. To it we are much indebted.





CHAPTER XIV.

THE FIFTEENTH, SIXTEENTH, AND SEVENTEENTH CENTURIES.

THE castles of Appleby and of Kendal do not possess the strategic importance of the castle of Carlisle. The Castle Hill of Carlisle commanded the only road through the county that was practical for wheeled conveyances—that is, for the march of an army with the usual *impedimenta*. Light troops without much baggage might turn the position, either by the waths over Eden between Carlisle and the Solway, or by coming through Nichol Forest. These troops might, and often did, lay waste all Cumberland south of Carlisle, but they could not penetrate much further. An invading army from Scotland must possess itself of Carlisle, and hence wars and raids in Cumberland alike pivot upon Carlisle as a centre, and the history of Cumberland is that of Carlisle.

Westmorland has no such pivot. Kendal lies remote from the great military road over Stainmore; its name is associated with neither siege nor assault. It was the fortified residence of a subject (a peaceful subject no doubt), and not a garrisoned fortress of the Crown. The castles of Brougham, Appleby, and Brough-under-Stainmore stood, indeed, upon or near the great military road, but between it and Appleby Castle ran the river Eden.

After the grant of the barony of Appleby to the first De Veteriponte, these castles degenerated to the fortified residences of subjects, who found them apparently expensive to maintain, for when the barony was undivided, Appleby was alone maintained as a residence, and Brough and Brougham let fall into ruin. When the barony was in severance, Appleby was allowed to decay, and Brough and Brougham were maintained in residential condition. The building Countess of Pembroke rebuilt, repaired, and restored all three, and many other castles and houses as well; and a Tufton successor dismantled and pulled most of them down. These castles are thus connected with no military traditions except those of the invasion of William the Lion in 1174, narrated in an earlier chapter of this book. These castles were, indeed, of small military importance compared with that of Carlisle, which was part of a walled town, capable of sheltering a large garrison. In fact, for a Scottish army to successfully invade England by the western route, Carlisle must be either invested and masked by a larger force than it contained, as was done by William the Lion in 1174, or captured and garrisoned, as was done by the Highlanders in 1745. Again, unlike Carlisle, neither Appleby nor Kendal were walled towns, nor was either of them ever the rendezvous of a great army, such as Edward I. assembled more than once at Carlisle for the invasion of Scotland. Thus it comes to pass that the history of Westmorland, as compared with that of Cumberland, is comparatively tame. Not that the men of Westmorland ever found life particularly tame; they were bound, at the summons of the Lord Warden of the Marches, to appear at Carlisle Castle for border service. Thus, in 1293, Robert de Clifford, lord of the barony of Appleby, and hereditary Sheriff of Westmorland, was made Warden of the Marches in the north towards Scotland, and in 1298 was summoned to attend at Car-

lisle, with his horse and foot, for the invasion of Scotland. This same Robert de Clifford was slain at Bannockburn in 1314, and probably many of his Westmorland retainers with him. In return for this invasion of Scotland the Scots overran the whole North of England—Northumberland, Durham, and Yorkshire as far as Richmond—returning home by Stainmore and the valley of the Eden, and burning, as they passed, Brough, Appleby, and Kirkoswald (in Cumberland). The castle of Appleby appears to have escaped. It was probably able to offer a passive resistance sufficient to protect itself, but would be unable to defend the town or neighbouring villages. In the following year Robert Bruce besieged Carlisle for ten days. It was gallantly defended by Sir Andrew de Harcla, captain of the castle of Carlisle; but Bruce, though he had to raise the siege, was strong enough to detach raiding parties into both Cumberland and Westmorland, who trod down the cornfields and drove off the cattle, wasting and burning all they could, to the great harm of the luckless peasantry. For his defence of Carlisle Sir Andrew received from the King the custody of the counties of Cumberland, Westmorland, and Lancashire. For further services rendered in 1321-2 he was made Earl of Carlisle. In July, 1322, he seems to have been remiss, and to have allowed Robert Bruce to slip through Cumberland, burning Rose Castle, and raiding and marauding through Westmorland as far as Lancaster, and even Preston. On his return Bruce stayed at a place about five miles from Carlisle and committed many depredations, the garrison of Carlisle being apparently powerless, through weakness or treachery, to prevent them. This and other circumstances rendered the King, Edward II., suspicious about De Harcla's fidelity. By order of the King, De Harcla was arrested, tried, found guilty, and hung, drawn, and quartered at Carlisle. To this day it is an article of faith in West-

morland that Sir Andrew de Harcla died an innocent man.¹

The Scottish wars died down in the second half of the fourteenth century. Carlisle was unsuccessfully attacked by the Scots in 1380, 1385, and 1387, and the country round it laid waste. A battle was fought in 1385 between the Scots, under the Earl of Douglas, at Hoff, near Appleby, where numbers were killed. The place is known to this day as Douglas Ing, and bones, skulls, and other relics of the fight have been dug up in recent times. In 1388, the year after the battle of Otterbourne, the Scots wasted the North of England, and sacked and devastated the town of Appleby, so that it was utterly ruined and impoverished; nine-tenths of it lay in ruins, and was never again rebuilt.

We have remarked in a companion volume to this that "the fourteenth century was the most miserable, we would imagine, that the citizens of Carlisle and the men of Cumberland ever had to endure."² In a less degree this is true of Westmorland. Cumberland lay between it and the restless Scottish foes—a "buffer" county, to borrow a phrase from up-to-date diplomacy—and so generally took off, if that was possible, the rough edge of the Scotchman's appetite for plunder. Early in the century we find in the episcopal records mention of the poverty of the diocese. In 1302 Bishop Halton had to direct the collectors of the disme, or tenth, to collect nothing from certain churches (those along the border), and two-thirds only from a long list of other churches, including the following in Westmorland: Morland, Cliburn, Shap, Bampton, Askam, Lowther, Clifton, and Barton. In 1318 a new valuation of Church property (the *Nova Taxatio*) had to be made over part of the

¹ For a fuller account see "History of Cumberland," by the present writer, pp. 230, 231.

² "History of Cumberland," p. 232.

province of York, as the clergy could not pay according to the *Verus Valor* of Pope Nicholas, made in 1292. But the lowest depth was not yet reached. In 1337 the Bishop of Carlisle records that he cannot get his tenths, because the clergy had all fled—an example the Bishops themselves were fain to follow. Pestilence, too, stalked through the land on more than one occasion. A significant and unexplained gap of seven years in the episcopal registers, commencing with 1346, probably points to the ravages of the Black Death, and consequent universal disorganization.

The perpetual raids and reprisals between England and Scotland generated on either side of the border a race of peasantry, and better than peasantry, inured to war's alarms, and familiar with deeds of violence. These men had scant opportunity of earning an honest wage by agricultural or other labour, but easily found distinction and profit by joining the local forces raised for service against the sister-kingdom to their own. When such forces were disbanded, the individual members thereof would be prone enough to apply on their own account the arts of war and plunder they had acquired on actual service. The fact, too, that on the English side the tenants of the great estates were supposed to hold their lands on condition of military service exclusively against the Scotch, and that they were bound, on alarm given, to meet at a well-known rendezvous in each district under an appointed leader—the steward or land-sergeant of their barony or manor—tended to foster a military spirit and a habit of organization, which lent themselves as readily to initiating a raid into Scotland as to repelling one.

Special men like these required special laws, and a code was gradually compiled for them under various agreements and treaties between the two countries. The Border Laws, the *Leges Marchiarum*, provided an inter-

national tribunal for dealing with these reckless men. This was held under a solemn assurance of truce, at a meeting of the Warden of the East, Middle, or West March in England with his opposite Warden. The time and place were previously agreed upon between the two Wardens, and notice given far and wide in all market towns. Any person aggrieved by one of the opposite nation lodged his complaint with the clerk to his Warden, by whom it was transmitted to the corresponding official on the other side, and by him notice was given to the person charged. On the set day the Wardens, each with a military retinue, rode to the appointed place, and after giving and receiving solemn assurances of truce, proceeded to business by selection of a jury of twelve, on which the English Warden nominated six Scotchmen and the Scotch Warden six Englishmen. This jury dealt with the various bills of complaint, and each Warden was bound to catch and hand over to his brother Warden the persons convicted, or sureties for them. This machinery worked much better than is generally imagined; for when it was abolished, at the union of the two countries, it left a void which was not readily filled up.

We have stated in the companion volume to this that there is little to record of Cumberland in the fifteenth or the early sixteenth century.

This period covers much of fascinating interest in English history—the battle of Agincourt, the conquest of France, its subsequent loss, and the end of the Hundred Years' War, the Wars of the Roses, the advent of the New Monarchy, the introduction of the printing-press and of the new learning, and the battle of Flodden, to which Thomas, Lord Dacre of Gilsland, led the Border men. The history of Cumberland during this long period offers little special to record; the episcopal registers are missing, and we lack the side-lights they throw on local history during the previous century. The North of England, under Clifford influence, was largely Lancastrian in feeling; but after the battle of Towton, in 1461, Carlisle was held by the Yorkists, when

a Scottish force, in the Lancastrian interest, besieged it, and burnt its suburbs. . . . Edward IV. sent his brother Richard, Duke of Gloucester, to hold the North of England, with the appointments of Lord Warden of the Marches and Captain of the castle of Carlisle. While thus employed, the Duke resided in Carlisle and Penrith Castles.¹

Little as there is to be said of Cumberland during this period, there is less to be said of Westmorland. But that county was within the jurisdiction of the Lord Warden of the Marches; its inhabitants were liable to border service at his call, and the state of the Border, and the policy of the Crowns of England and Scotland anent the Border, would be matter of keen and vital interest to every Westmorland man, and woman too. Thus we must go into the state of the Border a little more closely than would at first seem necessary in a history of Westmorland, at the risk of repeating what we have said about Cumberland.

The policy pursued by Henry VII. toward Scotland was one of peace. His own throne was threatened by pretenders, and it was of importance to him to detach Scotland from its old alliance with France, and to bring it into line on his side. With this object in view, he married, in 1502, his daughter Margaret to James IV. of Scotland. This policy brought about a lull in the border warfare, but Henry VII. did not succeed in removing all the causes of dispute on the Border; he found it well to leave the debatable lands undivided—their limits were known, and they were a pasture-ground common to both nations alike in the day-time: the night would give too much opportunity for theft, and the propensity for lifting or stealing a horse, innate in every Borderer, must have taken a long time to eradicate. There was also a perpetual quarrel about a fishgarth in the Esk, which lasted until the last century.

¹ "History of Cumberland," pp. 237, 238.

The cautious policy followed by Henry VII., not only in regard to Scotland, but in regard to foreign nations generally, was reversed by his son, Henry VIII., who allowed himself to be seduced by his father-in-law, Ferdinand of Arragon, into a war with France, and he renewed the old English claims to supremacy over Scotland. James IV. of Scotland, not unnaturally, took advantage of Henry's absence in France to invade England, against the advice of many of his nobles, and with an army numerically inferior to that which, under the command of the Earl of Surrey, confronted him at Flodden on September 9, 1513. The Earl had with him a strong contingent of horsemen from the Borders under Thomas, Lord Dacre of Gilsland, who had also brought a numerous body of bowmen from Kendal.

The left-hand wing, with all his route,
The lusty Lord Dacre did lead ;
With him the bows of Kendal stout,
With milk-white coats and crosses red.

So far as Lord Dacre is concerned, this would seem to be an error ; he and his horsemen served as the right of the second line in the English order of battle. They were kept in reserve for some time, but were brought into action at a critical moment, and contributed greatly to the terrible defeat the English inflicted on their opponents. The death of James IV. on the field of Flodden plunged his realm into the misfortune of a minority—an infant King under the care of a Queen-mother, Margaret, sister to Henry VIII. Nor were the relations between the two countries improved by the appointment as Regent of the Duke of Albany, who had been born and educated, and who had resided all his life in France, a country to whose interests he was devoted. Scotland thus became a mere tool in the hands of France, to be employed for the annoyance of England. Henry and Wolsey started a terrible policy of retaliation. They fomented and

encouraged the old system of Border warfare, with a terrible difference. Previous Border warfare had had about it somewhat of an amateur character. Regular troops were not employed, beyond the borderers themselves, who were well accustomed to arms. Loot, four-footed loot that could walk, was the object of a foray. The victim thereof saved his own hide by ensconcing himself and his family in his peel tower. After a few hours' detention there, he sallied forth, collected his neighbours, pursued the retreating raiders, and either recaptured his own cattle and horses or stole somebody else's. Wanton damage was rarely done, life probably rarely taken. But all this was now changed. Henry VIII. and Wolsey encouraged the English borderers to prefer complaints against their Scottish neighbours; if satisfaction was not at once rendered, the English borderers were aided by regular troops under professional leaders, whose object was to do as much destruction as possible. Thomas and William Lords Dacre, in succession Wardens of the Western Marches, were the directors of this atrocious warfare, in which professional military skill was employed for the destruction of peels, churches, and villages, with the intention of reducing the Scottish Border to a waste, and of rendering that country valueless to France as an ally.

Reprisals were made, of course. The element of savagery was, as the Bishop of Peterborough observes, introduced into Border life; the borderers degenerated into gangs or clans of brigands, whose hand was against every man, thieves to both countries alike. Such were the Armstrongs and the Græmes, or Grahams, who were reinforced by "broken men" of every kind, rebels, traitors, and outlaws, until the first-named of these clans could put into the field 3,000 horsemen.

It may, perhaps, be imagined that all this does not much concern Westmorland; but the Westmorland men were bound to serve when summoned by the Lord

Warden, and the following letter addressed by the Earl of Surrey to Cardinal Wolsey, and dated at Berwick, September 27, 1523, shows that they were by no means slack in the work, or novices thereat :

The next day I sente my Lord Dacre to a strong hold called *Fernherst*,¹ the lord whereof was his mortal enemy, with Sir Arthur Darcey, Sir Marmaduke Constable, with 700 of their men, one cartoute and dyvers other good peces of ordynaunce for the field. The said *Fernherst* stode marvellous openly within a greate wood. The said two knights with the moste part of their men, and Strickland, your grace's servants, with 300 Kendal men, wente into the wood on fote with th' ordynnaunce, where the said Kendal men were so handled that they proved *hardy men* that *went noo foote back* for theym !—And fynally, with long skirmishing and moche difficulty, the house was threwn downe : and above 30 Scottish slayne, and not passing four English men, but above sixty hurt.²

Many such instances could no doubt be found of the Westmorland men doing Border service.

In 1522 the Scotch missed making a big score. Under the Duke of Albany a Scotch army marched to within a few miles of Carlisle, whose defences, having been much neglected, were in decay, walls down, and munitions of war wanting. The Warden, Thomas, Lord Dacre, had no sufficient force to oppose to Albany, but trusting to Albany's general feebleness, and to the fear the Scotch nobles had that another battle on English ground might be a repetition of Flodden, he proposed a conference, and by his confident mien so imposed on Albany as to induce him to retire, in compliance with the wish of the Scottish nobles, who hesitated to cross the Esk, and urged that a defensive policy was the best policy for Scotland. No doubt Dacre had with him on this occasion a contingent from Westmorland.

Peace was made between the two countries in 1525, the year of the death of Thomas, Lord Dacre, who was suc-

¹ Fernihurst Castle, in Roxburghshire, just south of Jedburgh.

² Printed in Nicholson's "Annals of Kendal," p. 29.

ceeded as Warden of the Western Marches by his son William, Lord Dacre. But the Border warfare did not cease; the Armstrongs continued to give great trouble, and to levy blackmail in both counties, until their power was broken by James V. of Scotland, who summoned their chieftain, Johnny Armstrong of Gilnoch, to appear before him. Johnny appeared dressed like a prince, and attended by a retinue of some eight-and-forty friends. The King hung the whole lot. Other notorious thieves were also executed. The Earl of Bothwell, Lords Home and Maxwell, the lairds of Buccleuch and Fernihurst, and others who had protected the guilty, were committed to custody. This severity had a wholesome and quieting effect.

The causes which for long had been preparing men's minds for the inevitableness of some sort of reformation of the Church of England would be slowly felt in a poor and remote district like Westmorland, where the people were probably content with their clergy, who were probably among the most ignorant in England. Still, there must have been a few of them who had tasted of the "New Learning," and read the works of Erasmus and Colet. There is no evidence that the inhabitants of Westmorland and Cumberland were particularly anxious for any sweeping changes; on the contrary, we shall see they were not, if we may judge from what they afterwards did on the occasion of the suppression of the small religious houses, or those having incomes under £200 per annum. The Act for the suppression of these houses was passed in 1536, and the discontent occasioned by their suppression, co-operating with other grievances, and assiduously fanned by the monks and priests, set the North of England on fire. In October of that year, a rebellion of some sixty thousand persons rose in Lincolnshire and subsided in a fortnight. It was followed by the rising in Yorkshire known as "Aske's Rebellion," or the "Pilgrim-

age of Grace," and on October 13 the beacons of Westmorland and Cumberland blazed out in response to the fires on the Yorkshire hills. The Pilgrimage found sympathizers and promoters in the diocese of Carlisle. Robert Jerby, Abbot of Holm Cultram, Towneley, Chancellor of Carlisle, the Prior of Lanercost, and a nameless Vicar of Penrith, made themselves especially obnoxious to the King. Carlisle was held for the King by Sir Thomas Clifford, who must have had the Westmorland men with him, and by Sir Christopher Dacre. They were attacked by a rabble of some 8,000 men, raised at Kirkby Stephen by one Nichol Musgrave. Clifford and Dacre drove them back upon the Duke of Norfolk and the royal army, who speedily disposed of them. The Duke hung seventy-four of them at various towns in Westmorland and Cumberland. Further examples were unnecessary. After this the Reformation proceeded with smoothness in Westmorland.

In 1542 war broke out between England and Scotland. James V., being on the side of Rome, was unfavourable to his uncle, the English King, whose policy was to renew the claims made by Edward I. to superiority over the kingdom of Scotland. A Scottish army entered the West Marches of England, and was put to disastrous flight on Sollom Moss on November 24, 1542, by a few hundred borderers under Sir Thomas Dacre the Bastard, and Jack Musgrave, of Bewcastle, both of whom some writers exalt into lords. The Scottish King, broken-hearted and overpowered with chagrin, died a few days afterwards, leaving a girl a week old to succeed him. The English monarch recurred to his evil policy of harassing Scotland by inciting the borderers to mischief and outrage, and he enlisted on his side some of the Scottish clans, including the Armstrongs, who had the death of Johnny of Gilnochy to avenge. The object of all this butchery and violence was to compel the marriage of Mary of Scotland

to Edward VI., and that object was only abandoned when England was in difficulties through war with France and through domestic strife.

A treaty of peace between the two countries was concluded in 1551, and both parties set to work seriously to bring about the pacification of the Borders. As a first step, the debatable lands were divided by a joint commission, and an earthen dyke, the Scotch Dyke, made to mark the division; this was done in 1552. A regular frontier guard was established, particular attention being given to the hill passes and to the waths. Each township had to contribute its quota of watchmen, and the limits of their watch were most carefully defined, one to connect with another. The gentry were charged with the duty of supervision. Strict rules were laid down as to how suspected persons were to be dealt with, and as to how the alarm was to be given. Superfluous fords were to be destroyed; these were mainly situated in Northumberland. Commissioners were also appointed to enclose the arable and pasture lands, and thorns were supplied for the purpose. The Border laws were also amended and enforced, and better arrangements made for the pursuit and rendering to justice of criminals.¹

In 1568 the Castle of Carlisle was utilized as a guest-house, or a prison—it is questionable which—for the reception of Mary Queen of Scots, who, after the battle of Langside, fled from Scotland, and, crossing the Solway in an open boat, landed at Workington. Thence she proceeded to Cockermouth, whence she was escorted by Sir Richard Lowther to Carlisle, a virtual prisoner. To Carlisle also repaired the Earl of Northumberland, who

¹ The *Leges Marchiarum*, by Nicolson, Bishop of Carlisle, contain a complete account of the border laws and the treaties on which they were based; also all the regulations for watching, etc. It was compiled by the Bishop to remind people of the misery endured on the Borders when the two realms were separate.

demanded that the Queen should be handed over to his custody, and who, when Lowther declined to do so, abused that gentleman in very rough terms. Carlisle became the centre of intrigue among the Papal party, but the gentry of Cumberland and Westmorland showed no enthusiasm whatever in the Queen's behalf, though those two counties and Northumberland were then reckoned the stronghold of English Catholicism. After a stay of two months Queen Mary was removed, in July, 1568, to Bolton, in Yorkshire. In the following year the "Rising of the North" took place under the Earls of Northumberland and Westmorland, who again reared the banner that had been flown in the "Pilgrimage of Grace." Their objects were to rescue the Queen of Scots, to subvert the Government of Elizabeth, and to re establish the ancient faith. One of the instigators of this outbreak was Leonard Dacre, uncle of the little lad on whose untimely death, caused by the fall of a vaulting horse, the great estate of Dacre of the North had fallen to three co-heiresses. Leonard Dacre "stomached it much," says Camden, "that so goodly an inheritance should fall to his nieces." He assumed the title of Lord Dacre, and claimed the estates as heir in tail male. He instigated the two Earls to rise, then betrayed them to Elizabeth, whom he persuaded to intrust to him a share in putting down the rising. He seized his nieces' estates, fortified Naworth Castle, and collected some 3,000 men, who rallied to the old Border slogan of "A read Bull, a read Bull." Lord Scrope, the Lord Warden, relying on Dacre's loyalty, moved out from Carlisle to intercept the two Earls, should they march for Scotland, leaving Bishop Best in command of the castle of Carlisle. He was recalled by rumour of a plot to seize the castle and murder the Bishop. The rising soon became a flight; the two Earls arrived as fugitives at Naworth, where the wily Dacre gave them but short shelter; he was in no

mood to compromise himself, and the Earls fled to Liddisdale. But the Queen had discovered Dacre's double-dealings. She gave Lord Hunsdon, Governor of Berwick-on-Tweed, peremptory orders to apprehend that "cankred subtile traitor," as she called him. Hunsdon and Dacre met one another at Gelt's Bridge, about four miles from Naworth. Dacre was worsted, and fled into exile. The gentry of Cumberland and Westmorland had stood aloof from the rising; perhaps they remembered too well the seventy-four hung by the Duke of Norfolk, perhaps they mistrusted Leonard Dacre. On Lord Hunsdon's intercession, the Queen pardoned the borderers who fought for Dacre. The Earl of Northumberland was brought to the scaffold, and more than 600 of his followers were executed. Locally, the "Rising of the North" is known as "Dacre's Raid."

Quiet and peace were for some time restored on the Borders, though there were occasional outbreaks, as when, in 1575, a meeting for a Warden's Court at Reeds- wise, on Carter Fell, ended in a battle between the Scots and the English. The English Queen was, however, peremptory in her insistence that such outbreaks were matters of international concern, and must be checked. In this she was successful, and for the last quarter of the sixteenth century peace on the Border was only disturbed by the well-known episode of the incarceration in Carlisle Castle of Kinmount Willie and his daring rescue.

In 1598 the plague ravaged Westmorland and Cumberland and the adjacent parts. An inscription in Penrith Church records the visitation thus :

A.D. MDXCVIII.

Ex gravi peste, quæ regionibus hisce incubuit, obierunt apud.

Penrith	...	...	...	2,260
Kendal	...	...	...	2,500
Richmond	...	...	...	2,200
Carlisle	...	...	...	1,196

Posterius.

Avertite vos et vivite.—Ezek. xviii. 32.

The places mentioned are the four rural deaneries of those names, and not the towns, as most writers have hurriedly assumed. In the town of Appleby alone, between August 1, 1598, and March 25 of the following year, no fewer than 128 persons died. Appleby was the chief market for the bottom of Westmorland, and to avoid all fear of contagion, the markets and fairs were removed from thence to Gilshaughton, a place about eight miles to the west.





CHAPTER XV.

THE TROUBLES, THE RESTORATION, AND THE REVOLUTION.

THE union of the two kingdoms had very different effects upon Cumberland and upon Westmorland. For the first it was disastrous; its county town fell at once from the position of an important frontier post to that of a small market town. The citizens were impoverished; they missed the money a large garrison and its officers had been wont to spend among them. But Appleby and Kendal had no garrisons to be reduced, and in that way they could have been but little affected. In the country the holders of estates by the Border tenant right found their liability to Border service had vanished with the very Borders themselves; they found more—that, as the liability to Border service had vanished, their estates were likely to vanish under a preposterous and unpopular claim made by the King, of which the history and ultimate defeat has been told in the chapter in this book on “The Border Tenant Right.” The protracted litigation between the Crown and the Border tenants appears to have created a new spirit among them. Being now denied the opportunity of raiding upon their neighbours, they went to law with them, or, rather, with their lords, and with one another. Bishop Snowden writes of his diocese: “The vulgar people are subtill, violent,

History of Westmorland.

... of endless suites by appeales to
... and the poor wretches find admit-
... unreasonable appeales both at York
... these higher courts deserve to be
... leader was no longer the gallant
... mess-trooper, but the successful
... of lawsuits. Thus Atkinson of
... into importance and fame as the
... on behalf of the commoners of
... or Appleby of their great
... lady of the barony, the Countess of
... fines and heriots claimed by her.
... of horse under Cromwell, and after
... influence enough to stir up in West-
... or Kaber Rigg plot, which will
... be mentioned.

... of the troubles in Westmorland and
... be reckoned from a proclamation made
... January 29, 1638, which ordered all the
... of the Northern counties, except those
... in his Majesty or in his service, to repair,
... to their several houses and lands,
... were required to be in readiness well armed,
... for the defence and safeguard of that part
... In the following year a garrison
... was placed in Carlisle, which was dis-
... October, 1641, in pursuance of a treaty with
...

... Civil War commenced in 1642. Charles I.
... at Nottingham on August 23, and the
... was fought on October 23. Through-
... and Cumberland the best and oldest of
... were on the side of royalty. They
... in raising levies for the King from
... and tenants accustomed to
... the Border and feudal tenures. So

early as 1641 the Countess of Pembroke had fortified and garrisoned Appleby Castle for the King, and put it under the command of Sir Philip Musgrave—an unwise step in her own interest, as Cromwell's hand consequently fell heavy upon Appleby; and a useless one in the King's interest, as Appleby Castle had no strategic importance. However, the tide of war at first rolled away from the North, and many persons of distinction resorted thither to be out of the strife, and particularly to the walled city of Carlisle. This important position had been secured for the King by Sir Philip Musgrave, Colonel of the trainbands of Westmorland and Cumberland, who had placed Sir Francis Willoughby there as Governor. When the Earl of Newcastle came into Yorkshire with his army the Westmorland and Cumberland levies stood upon the defensive, though they sent 300 foot, under Sir Timothy Fetherstonhaugh, and some companies under Sir William Hudleston to York. This inactivity seems hardly to have satisfied the more ardent Royalists, and some advocated more strenuous measures, but the leaders declined to alter their policy. The Marquis of Newcastle, for he had been advanced a step in the peerage, in 1644 gave Sir Philip Musgrave a commission as Commander-in-Chief of the counties of Westmorland and Cumberland, an appointment which for a time excited local jealousy. In the same year Sir Philip and his brother commissioners sent 1,800 foot, all levied in Westmorland and Cumberland, to march with the Marquis of Newcastle against the Scotch, and also 1,000 foot to join Prince Rupert when he marched to relieve York. The battle of Marston Moor was fought on July 1, 1644, and the tide of battle turned then the other way. York surrendered to the Parliamentary forces on the 16th of that month, and Sir Thomas Glenham, Governor of York, and Commander-in-Chief in the North for the King, took refuge in Carlisle with some broken troops, there to sustain a protracted

and painful siege. General David Lesley, with 800 horse, marched from Newcastle to endeavour to take Carlisle by a *coup-de-main*, but at Salkeld, when about to ford the Eden, he was, to his surprise, opposed by local levies commanded by Sir Philip Musgrave, Sir Henry Bellingham and Sir Henry Fletcher. Lesley was for returning to Newcastle, but Barwise of Ilekirk, a Cumberland squire who was with him, rode into the river, whereon Lesley and the horse followed, and the whole of the opposing force promptly ran off as fast as they could to Carlisle, into which place Lesley chased them. Next day he retired to Newcastle, though had he stayed he might have reduced Carlisle in a very short time, as it was not yet provisioned. Scandal says he did this on purpose—he wished to give the Royalists time to provision Carlisle, that the siege might be protracted, and so he and his men might draw pay for a longer time. Steps were at once taken by Sir Thomas Glenham to put Carlisle in readiness to stand a siege. He disbanded the Westmorland and Cumberland levies, partly because he perceived some disaffection among the country people, who formed the rank and file, partly because of quarrels and discontents among the gentry, who formed the officers, and partly because he did not know how to feed so many, particularly in view of a siege. Sir Thomas Glenham, and with him Sir Philip Musgrave and other country gentlemen, retired into Carlisle, and were locked up there for nine months, from October, 1644, to June 1645. Meanwhile, some troops of horse belonging to a regiment commanded by a Colonel Wren, in the Parliamentary interest, entered Westmorland and plundered Musgrave's house and estate at Hartley to the amount of about £3,000. They took also his stock at Edenhall, and sequestered all that remained of his real and personal estate to the use of the Parliament. On the conclusion of the siege of Carlisle, Sir Philip Musgrave joined the King at Cardiff,

and was taken prisoner at Rowtenmore, but was ultimately released. Many of the local gentry who had served with the Royalist forces compounded for their estates. From this Musgrave was excluded. The Scotch next garrisoned Carlisle and held it until December, 1646, when they left, as Parliament had determined to dispense with Scottish help, and had agreed to buy them out.

Towards the end of the year 1647 an attempt was made to raise an army to free the King from imprisonment. Sir Marmaduke Langdale received a commission from the Prince of Wales as Colonel-General of the five Northern counties, with power to give commissions. He appointed Sir Philip Musgrave Commander-in-Chief in Westmorland and Cumberland, and Governor of Carlisle, which Musgrave surprised in April, 1648, and secured for the Royalists. A Royalist force, under Sir Marmaduke Langdale, was collected in the vicinity, and though many of the Westmorland and Cumberland squires had compounded for their estates, they again took up arms most readily; upon May 1 they mustered 5,000 foot, well armed, and 800 horse, all raised in these two small counties. To oppose them Major-General Lambert came from Yorkshire with horse and foot, and drove Langdale back upon Carlisle, to the horror of the inhabitants, who feared another siege. But Lambert retreated into Yorkshire on hearing that a Scotch army was advancing; but he left a garrison in Appleby Castle, which was soon driven out by Sir Marmaduke Langdale and the Kendal men, who marched to the assistance of their Appleby neighbours.

Sir Philip Musgrave handed over Carlisle to the Duke of Hamilton, who garrisoned the place with Scots, under Sir William Livingstone, and went south with the rest of his forces to be defeated at Preston by Cromwell on August 17, 1648. Sir Philip was not at Preston; he had been left behind in the North with a small force, which

was augmented by fugitives from Preston to about 800 horse and 1,200 foot; these he proposed to throw into Carlisle, and with the Scotch garrison defend that place. But the Scotch would not; they surrendered Carlisle on October 1 to Cromwell's troops, who, as they marched to Carlisle, dispersed Sir Philip's horse. He was thus left with few troops, and these disaffected; he found it necessary to enter into negotiations with Major-General Ashton for a surrender. That officer had just driven away from Cockermouth a Royalist army, probably of local levies, which had been besieging Cockermouth, and had chased them into Appleby, where Lambert's garrison had made no long stay. Honourable terms were obtained; all officers to march off with horse and arms, and to have leave to live peaceably at their own houses, or to depart the nation within six months: the surrender extended to Appleby; Appleby Castle, which it is stated was not tenable against an army, was delivered up on October 16, 1648, the garrison marching out with their arms, drums beating, and colours flying. The King had then no army in the field in any of his kingdoms. The numbers of those that surrendered at Appleby are said to have been five knights, twenty-five colonels, nine lieutenant-colonels, six majors, forty-six captains, seventeen lieutenants, ten cornets, three ensigns, and 1,200 horse; also five pieces of cannon and 1,000 stand of arms. The number of commissioned officers, one to every twelve privates, must indicate disaffection and desertion among the rank and file. Sir Philip soon found that Sir Arthur Haslerigg, who commanded in the four Northern counties, did not intend to respect, so far as concerned Sir Philip, the terms of surrender agreed to by Ashton; Sir Philip, however, got to London, and made his escape abroad, on the day after Charles I. was put to death.

Cromwell's hand fell heavy on the Westmorland and

Cumberland squires now that he had got the uppermost. Large garrisons were quartered upon Appleby and Carlisle, and heavy taxes were levied for their support; Major-General Lambert presided over the sequestration of the estates of the local squires; the following table, taken from a book published anonymously in 1655, entitled "A Catalogue of the Lords, Knights, and Gentlemen that compounded for their Estates," shows the results in Westmorland.

	£	s.	d.
Braithwaite, Gowen, of Ambleside ...	...	0149	00 00
Bellingham, Sir Henry, of Levens ...	...	5526	09 00
Cardenas, Dorothy, of Westmorland ...	...	0030	00 00
Colt, George, of Westmorland ...	...	0023	06 08
Dudley, Christopher, of Yanwhich, West. ...	...	0210	00 00
Dalston, John, Acorn Bank, West. ...	...	0290	00 00
Duncomb, John, of Westmorland, Gent. ...	...	0165	00 00
Lowther, Sir John, of Lowther, Bart. ...	...	1500	00 00
Phillipson, Christopher, Collarth, Westminster ¹	...	0360	05 00
Sanford, Sir Thomas, of Hoyle, West. ...	...	0730	00 00
Wilson, Henry, of Underley, West. ...	...	0200	00 00

Minor exasperations were not wanting; postmasters, whom the Royalists of the day said were Quakers, were appointed throughout the two counties, who opened the letters entrusted to their charge, particularly at Brough and Penrith, which shows that the mail came from York over Stainmore. Appleby was punished for its loyalty by having imposed upon it a charter which restricted its rights and privileges, and which was so offensive to the authorities of the Corporation that they resigned rather than make proclamation thereof.² Kendal was punished for the assistance it had given to Appleby by having its Corporation packed with enemies to the Stuarts. The amazing numbers of the levies in the two counties show that the borderers must have responded readily to the

¹ Culgaith, Westmorland. The list is very badly printed.

² *Ante*, p. 148.

summons of the local gentry, their ancient leaders ; still, it is obvious that disaffection to some considerable extent prevailed on more than one occasion among the rank and file of the levies—in 1644 when they bolted at Salkeld, and in 1648 when they deserted from Sir Philip Musgrave in numbers. The disaffected had sympathizers, and more than sympathizers, among the local gentry and nobility, some of whom sided actively with the Parliament ; for instance, in Westmorland, Lord Wharton and Colonel Briggs. But many of these, Lord Wharton, for instance, lived to prefer the restoration of monarchy to the tyranny of the army. So long, however, as the army remained true to itself there was small chance of this being brought about ; but suddenly a schism arose in its ranks ; the army in Scotland grew jealous of the power exercised by the regiments quartered near the Metropolis, and—seven thousand strong—marched under General Monk up to London. On Monk's conduct hung almost the fate of the kingdom. "During a short time," says Lord Macaulay, "the dissimulation or irresolution of Monk kept all parties in a state of painful suspense. At length he broke silence and declared for a free Parliament." And the result was that a Parliament was elected "which, from having been convened without the royal writ, is more accurately described as a Convention."

During the Commonwealth the counties of Westmorland and Cumberland had been represented at Westminster, to a large extent, by officers of the Parliamentary forces ; two brothers, Baynes by name, sat one for Westmorland, and one for Appleby, both officers of horse under Cromwell, and keen speculators in the lands which had been forfeited by the Royalists. Most of these men failed to find seats in the Convention ; in Westmorland and at Appleby two Lowthers and a Dalston represented the old Cavalier party, and the fourth member was one of the Whartons, a family that had sided with Cromwell, but

preferred to bring in Charles II. to enduring a military despotism. The Convention sat only for about eight months. Short as its duration was, it accomplished great works; it restored the King, and passed statutes inferior in importance to none in the books; it abolished the oppressive military and feudal tenures, granted excise in lieu thereof, disbanded the army, restored the clergy to their benefices, and passed an Act of Indemnity.

The news of the Restoration was received with great joy at Appleby: the Mayor cut Cromwell's charter in pieces, and flung them to the tailors; every house started a bonfire; the Mayor and Corporation, and the county gentry, and the aged Countess of Pembroke, attended by trumpeters, and preceded by an imperial crown carried by an official, attended service in the church, and then ascended two stately scaffolds hung with cloth of gold at either end of the town, and there proclaimed, prayed for, and drank the King's health upon their bended knees. The old Countess was said to have grown young again to grace the occasion.

The Convention was succeeded by a Parliament in which the Cavaliers were in an undoubted majority. The county of Westmorland and the borough of Appleby returned four stanch Cavaliers, viz., Sir Philip Musgrave, Sir Thomas Strickland, Colonel John Lowther, and John Dalston. The complete conduct of affairs in Westmorland and Cumberland now fell into Cavalier hands. True, Charles Howard, now Earl of Carlisle, was the new Lord-Lieutenant of the two counties, and had an ambition to be appointed Governor of Carlisle. This post, however, was given to the man who, of all others, most deserved reward from the King, Sir Philip Musgrave. He, aided by his son Christopher, speedily became the leading man in the two counties, the main prop there of the restored Government. Sir Philip was a bluff, uncompromising Cavalier, a little puzzled with the duties of his position,

and rather chary of acting on his own responsibility. We find him writing to Mr. Secretary Williamson, that he must have "precise instructions, does not wish to know reasons of State, but can serve the King better under orders." Sir Philip was ably assisted by his son Christopher, who afterwards was a celebrated statesman and Minister. Another leading man, much in the confidence of Mr. Williamson, and in constant correspondence with him, was Sir Daniel Fleming, of Rydal Hall in Westmorland. He, like Sir Philip, had served as a Royalist officer, but he was also a scholar, a man of letters, and a lawyer so profound and so versed in the Northern laws and customs as to be constantly requested by the Judges of Assize to sit as their assessor on circuit. Power having thus fallen into the hands of the Cavaliers, they were not slow to use it in paying off old scores, their temper being in no way sweetened by the fact that, though they had recovered their forfeited estates, they had yet to put up with the loss of the mesne profits, and that, though they had squandered their fortunes in raising and arming levies for the Stuarts, the Stuart now on the throne had few rewards to give, while out of what he had to bestow the Howards had picked the plums.

Sir Philip came down, to use his own words, as "State physician to purge the Corporations of Carlisle, Appleby and Kendal." Though we have no records of what he effected, yet, considering that Cromwell had filled these bodies with his own adherents, the changes must have been considerable. The next thing to be done in the royal interest was to organize the militia or train-bands, a force which the Cavaliers or Tories considered of the highest importance, whilst the events of the Commonwealth had made a standing army most loathsome in their eyes. The importance attached to this force is shown by the commissions being taken by the first people in the two counties, which jointly raised a regiment of

600 men, including a small troop of horse, of which one twentieth part, or thirty men, was constantly kept on permanent duty. Sir George Fletcher was the Colonel, while Sir Daniel Fleming, Sir William Carleton, Sir Thomas Salkeld, and Mr. Huddleston all commanded companies, or troops, as they were then called. The names of the Lieutenant-Colonel, and Major, and of the Captain of the horse are not given; but there were in all seven companies of foot and one troop of horse, each field officer commanding, by a deputy or lieutenant, as was then the rule, a company, in addition to discharging the duties devolving on him by virtue of his superior commission. The force was at first far from efficient; about the year 1663, we find Sir Philip Musgrave writing to Mr. Secretary Williamson, *à propos* of fanatical outbreaks, "that he trusted volunteers, rather than trained bands, because of want of time, being ashamed to discover that some companies have no arms, others no commissioned officers, others have to learn the use of their arms, and this the fault, not of the deputy-lieutenants, but of the officers." This was shortly after the institution of the force: it was much improved in a few years, and places of rendezvous set out for each company.

The Cavalier Parliament soon commenced a series of penal measures of the utmost stringency directed against the Nonconformists, and their measures were vigorously enforced by the magistrates, "in general," says Macaulay, "men inflamed by party spirit, and by the remembrance of wrongs suffered in the time of the Commonwealth. The gaols were therefore soon crowded with Dissenters, and among the sufferers were some of whose genius and virtue any Christian society might well be proud." The local magistracy of Westmorland were as prompt at this work as those of any other county.

Such severity and oppression in enforcing laws which made it a crime to attend a Dissenting place of worship,

or for any Nonconformist divine who could not swallow a new and most unreasonable test to come within five miles of any town which was represented in Parliament, or of any town where he had himself resided as minister, soon produced a dangerous series of plots against the Government, for the men thus oppressed were no craven or fear-stricken herd, but were ready enough to take the sword in defence of their rights and opinions. "The Quakers," writes Musgrave to Williamson, "grow bold enough to meet two hundred or more at a time. They keep copies of proceedings against them by justices of the peace, to be ready against a time when they shall call the justices to account." The justices passed away long before the Quakers could call them to account; but Besse, in two ponderous folio volumes, has published in minute detail the memoranda thus kept.

Dr. Carleton, Dean of Carlisle, in a letter to Williamson, gives an account of affairs in the North: "The fanatics speak broad treason, and say that their deliverance is at hand. If not disarmed, they will soon rise in rebellion there, where all are so secure and negligent that unquiet spirits are impudently bold." About a year later this boldness led to a very formidable conspiracy being formed in the North in connection with a project for a general rising all over England. The local leader in this was Captain Robert Atkinson, of Mallerstang in Westmorland, formerly a captain of horse under Cromwell; one who had been very active during the Commonwealth in arresting Royalists, but had afterwards, to forward his own ends, pretended to furnish Sir Philip Musgrave with information of the plans and doings of the Quakers. On his double-dealing being found out, he was committed to prison at Appleby, but broke out, and little search appears then to have been made after him. Atkinson enjoyed great popularity with the commoners of the barony of Appleby, as he had conducted for them their great suit

with the litigious lady of the barony, the Countess of Pembroke, about the fines and heriots claimed by her. Twice in October, 1663, did Atkinson, with a party of nineteen horse, meet at a place called Kipper Rigg, or Kaber Rigg, in the parish of Kirkby Stephen, and about two miles and a half to the north-north-east of the town of that name, intending by a sudden dash to capture Sir Philip Musgrave and cut his throat, and then to seize on the excise money in the custody of the Clerk of the Peace. The failure to appear at the rendezvous of some thirty more, who were expected, prevented this plan from being carried out. It was but part of a more extended plan for a general rising all over England and Ireland. Atkinson was to command in Westmorland and the bishopric of Durham, while his local colleagues were Captain John Waller, also of Mallerstang, Colonel Richard Richardson, of Crosby Garrett, Thomas Fawcett, of Ravenstonedale, and Captain Cuthbert Studholme, of Carlisle, formerly a Parliamentary justice of the peace there. These daring men informed their followers of the general rising they expected. They said that in Wiltshire alone 5,000 men were ready, that in Westmorland and Durham 2,000 horse and dragoons were awaiting the signal, that confederates in Carlisle had promised to throw open without bloodshed the gates of that city, while Studholme had gained over a strong party in the castle garrison. The garrisons, too, at Appleby and Hull, they asserted, had been worked upon in a similar manner. Their object was "to force the King to perform his promises made at Breda, grant liberty of conscience to all but Romanists, take away excise, chimney money, and all taxes whatever, and restore a Gospel magistracy and mercy. The rising was fixed for October 12, 1663, but was, unluckily for the conspirators, postponed for some reason or other. Meanwhile they were betrayed by a Major Greathead,

and on October 26 Musgrave writes to say that "Captain Atkinson, their principal man, is secured." By some connivance or other, Atkinson got out of Appleby Castle, on bond or bail, and bolted. Sir Philip sent off notice to the Sheriff of Yorkshire, adding that he himself would at once "secure the most dangerous of the old army." Owing to an expectation that Atkinson would attack Appleby to release his friends in prison there, Musgrave called out volunteers, which he did by sending round to his friends, and soon collected fifty volunteer horse, well armed, and some foot. The militia were got together later, and did three days' duty in November before being dismissed.

The pursuit for Atkinson was so hot that, as he dare not surrender to the Musgraves, who would have strung him up at once, he collusively, as was thought, gave himself up to Thomas Braithwaite of Burnside, and in company with him and Braithwaite of Warcop, set off to meet the Duke of Buckingham at York. They missed him, saw Judge Turner, and then returned to Appleby, but immediately started for London. The Braithwaites, anxious, probably, that Atkinson should have a fair trial, carefully concealed from the Westmorland and Cumberland justices all these journeys, and the fact that Atkinson was their nominal prisoner; indeed, Sir Philip would have given him short time to live could he have got at him, and would have had no hesitation in taking him from the Braithwaites by force. On the road to London Atkinson made another escape on Braithwaite's horse, by, as it was suspected, the connivance of one of the two Braithwaites. Atkinson, strange to say, returned to Mallerstang; apparently he had hopes of a pardon, on condition of betraying his comrades. Braithwaite continued his journey to London, and had a long private discourse with the King. Sir Philip writes of this, "It is a mystery, and some think Atkinson is still at

command." John Dalston, of Acorn Bank, an active Royalist justice, speedily made Mallerstang no safe place for Atkinson; but he escaped falling into the hands of the local magistrates, and is next heard of as a prisoner in the Tower. There he was examined before the Lord Chancellor, the Lord Chief Justice Hyde, and Mr. Secretary Bennet in the presence of Sir Philip Musgrave and Sir Thomas Gower, the Sheriff of Yorkshire. Atkinson appears to have confessed somewhat, lied a good deal, and shuffled more, so, instead of the pardon he expected, he was handed over to Musgrave, and hung either at Carlisle or Durham in 1664; some accounts say Appleby. Several of his co-conspirators appeared at the assizes at Appleby in March, 1664, before Justice Twysden, Baron Turner, and Sir Philip, but no one else in the two counties appears to have suffered anything beyond imprisonment or outlawry for this conspiracy. John Aglionby, the Mayor of Carlisle, sent Cuthbert Studholme to gaol on a charge of treason, but what became of him does not appear. The local magistrates ascribed the plot to the Quakers, and George Whitehead, next to Fox, the father and founder of the Society of Friends, and a Westmorland man, was taken to Whitehall from the prison where he was confined on a charge of illegally preaching, and examined on a charge of complicity in the plot. Nothing could be proved against him, and the charge was dropped. Apparently, at the time of the plot, the local justices included under the name of "Quaker" every dissentient from their own religion except Papists. Westmorland was also full of Quakers, who had been disowned by, or who had seceded from, the Society of Friends, for in those days of religious excitement men roamed rapidly from one form of religion to another; among such doubtless Atkinson found adherents. The Braithwaites, too, were connected with the Society of Friends, and their conduct towards Atkinson, which we have conjectured to

have arisen from humane motives, would tend to cast suspicion on the society.

The Society of Friends long continued to come in for a good deal of persecution. In November, 1663, after the Kaber Rigg plot had been discovered and provided against, Sir Daniel Fleming writes to Williamson :

If mischief come now, it will be from non-licensed ministers or from Quakers, of whom there are too many in the part of the county adjoining to Lancashire, where George Fox and most of his cubs have been long kennelled. They keep weekly meetings within eight miles of each other through all this country, if not through England. They will do mischief most resolutely if Fox, or any other of their grand speakers, dictates it ; and some threaten already.

Such being Fleming's opinions, he acted up to them, and in the following January writes to Mr. Secretary Williamson :

Proceeded smartly at Lancaster Assizes against the Quakers—committed George Fox and half a score more to close gaol for refusing the oath of allegiance, and fined sixty on the new Act, although Mrs. Fell (Oliver's Judge Fell's widow) did her best to prevent it. Many fined at Appleby. This will soon stop their meetings, unless they obtain favour at Whitehall, which would much encourage them.

Later Fleming writes :

Mrs. Fell, Fox's wife, had a greater meeting than ever at her house the Sunday after the sessions, on purpose to affront authority ; for forty of those fined were fined for meeting at her house. The only way to deal with her will be to tender her the oath and præmunire her. Several justices are cool to commit Quakers, because the judges have either set them at liberty or given them very small fines.

Fleming was as good as his word with Fox and Mrs. Fell ; he got the Lancashire Sheriff and Deputy-Lieutenants to tender them the oath, and then persuaded Judge Twysden to imprison them both.

At the assizes at Appleby in the same year, Twysden was supported on the bench by Sir John Lowther, Sir Daniel Fleming and Sir Philip Musgrave, who in public urged the judge to take severe measures against the

Quakers brought before him, Lowther relating to him how the Quakers had carried to his grave one of their body who died in prison, with an inscription on his coffin, saying that he "had been done to death by Daniel Fleming." The local Quakers continued, with occasional intermissions, to suffer throughout all this and the next reign.

To return to the year 1663. It has been mentioned that chimney-money was one of the obnoxious imposts which the leaders in Atkinson's plot proposed to do away with. This tax was also known under the name of hearth-money, and was an impost of particular severity, being a tax of two shillings on every chimney hearth in a house. Its collection was the occasion of disputes among the local magistrates. Sir George Fletcher, William Carleton, and William Layton, construed the Act leniently, and obstructed George Williamson,¹ the collector of the tax, and brother to Mr. Secretary Williamson, in his duty. Fletcher, in particular, discharged the constables in some cases, when levying distresses on persons who would or could not pay. Sir Wilfred Lawson, Christopher Musgrave, and most of the justices, put a stricter construction on the Act. George Williamson hints that the three who differed were anxious to gain popularity, probably with ulterior electioneering views. Sir Daniel Fleming appears to have acted as mediator between the differing magistrates. He writes, in 1664, to Williamson of this tax, that "the new survey for hearth money will be short of the former, as many chimneys are walled up, and the ministers, churchwardens, and overseers of the poor give large certificates, there being no penalty against it in the Act."

In the year 1666 the local magistracy, still hot in persecuting Quakers, became equally hot against Papists.

¹ He was Receiver-General of the Excise for Westmorland and Cumberland.

Let us again turn to Fleming's correspondence with Williamson to see how the news of the Great Fire of London was received in the North. Our readers will probably be surprised to learn that the militia were at once called out for duty. Fleming writes that :

Not knowing what influence the fire in London might have among the discontented, issued orders to call his foot company together in Kendal, and sent a despatch to Colonel Sir George Fletcher. He communicated with the Deputy Lieutenants and the Earl of Carlisle, who ordered the several troops to rendezvous : the Colonel's at Appleby, the Major's and his (the writer's) at Kendal, the Lieutenant-Colonel's at Brampton, Sir William Carleton's at Penrith, Sir Thomas Salkeld's and Mr. Huddleston's at Cockermouth, and the train-band horse at Penrith.

All suspected persons were arrested, but were shortly released, and the militia disbanded. The same year the militia was again called up in consequence of the Scottish outbreak, on which occasion the Lord-Lieutenant (Earl of Carlisle) was ordered by the Court to repair at once to his lieutenancy.

All the gentry of the two counties assembled at Carlisle to march against the Scottish rebels ; but their services were not required. They did not separate without doing something—they issued warrants for general apprehension of all Papists, under which many were lodged in Carlisle and Appleby prisons. The following year (1667) found the county justices and deputy-lieutenants more furious than ever against all who were suspected of being of that faith. The churchwardens and constables presented at quarter sessions the names of all Popish recusants in the two counties, when all above sixteen years old were indicted in order to their conviction. Fleming in one letter says : "Most of the magistrates are very hot against them." In this year also the magistrates were much troubled about a seditious book that got into circulation in the two counties ; it was a little stitched book of four sheets, entitled "A True and Faithful

Account of ye Several Informations exhibited to ye Hon^{ble} Committee appointed by Parliament to enquire into the Late Dreadful Burning of ye City of London." Wherein the sedition consisted does not appear. The affair was considered of such magnitude as to induce Fleming and Musgrave to write to Mr. Secretary Williamson about the book and the seizure thereof.

In Westmorland and Cumberland, however, the persecution of the Papists was nothing compared with the sufferings which were inflicted on the Quakers, who for many a long year never ceased to be harassed by pains and penalties. Their meetings were prohibited, and they themselves were put under all sorts of legal disabilities; but still they increased in the two counties, and many of their greatest leaders were born in remote Westmorland or Cumberland villages.

The Parliament which succeeded the Convention has from its long existence, over eighteen years, and from the pensions held by its members, acquired the sobriquet of the "Long or Pensionary Parliament." Political morality was at this time at its lowest ebb, and political support was almost openly bought and sold. The local politicians were no better than others, and in Williamson's papers we see many of them clamouring for place, and for pickings, and apparently regarding it as the right thing to offer a *douceur*. Applications for posts of every kind, from the post of Receiver-General of the two counties to that of Deputy-Steward to Lord Northumberland, were backed up by what were, in plain English, bribes, varying from £2,000 offered for the first post, to thirty gold pieces for the last. Among the pensioners in this Parliament, four local members were reckoned, viz.:

WESTMORLAND.—Sir Philip Musgrave, Bart. ; a regiment of foot ; Governor of Carlisle ; given him in fee farm rents, £600.

APPLEBY.—Thomas Tufton, Esq., bedchamber man to the Duke of York.

CARLISLE.—Sir Philip Howard, Captain of the Horse Guards ; got in patents and boons, £400. Sir Christopher Musgrave, Kt., Captain of a foot company ; £200 per annum pension, and to succeed his father in the government of Carlisle.¹

Hot as the Pensionary Parliament was at first in its loyalty, it gradually grew alienated from the King through hostility to his alliance with France ; it impeached and banished his Minister Clarendon ; forced the King to withdraw his Declaration of Indulgence to religious sects ; passed a Test Act against the Court's wishes ; impeached Lord-Treasurer Danby, and went mad over the Popish plot. During its frenzy it expelled Sir Thomas Strickland from the representation of Westmorland as a Popish recusant. It split up into two parties, the placemen and the pensioners forming what was known as the Court party, the remainder being the County party, to which adhered all, or nearly all, the local members returned at by-elections, so that ultimately the County party was in the majority among the local members.

The French alliance, the Popish plot, and eighteen years of misgovernment, at last brought this most loyal of Parliaments into direct opposition to the King, even to the attempting to wrest the command of the militia from him, and to the impeaching Lord Danby—a proceeding which the Court, to prevent damaging disclosures, was compelled to stop by a dissolution at all hazard, though without prospect of getting a Parliament more pliant to courtly wishes and ways. The Parliament that succeeded was more violently opposed to the Court party than its predecessor. It resumed the impeachment of Danby, and was bent upon passing a Bill for excluding the Duke of York and his issue from the succession to the throne, when the King suddenly prorogued the Parliament and presently dissolved it, after an existence of a very few

¹ From a list printed in Amsterdam in 1677, and attributed to Andrew Marvel.

months. Sir John Lowther, of Lowther, afterwards the first Viscount Lonsdale, but M.P. for Westmorland in this Parliament, was a staunch and active supporter of the Exclusion Bill, for which his colleague and cousin, Sir John Lowther of Whitehaven, also voted. In the newly-elected Parliament of 1679, Sir John Lowther of Lowther lost his seat for Westmorland, and was succeeded by Christopher Philipson, who was a gain to the Court party, and a partisan to the last of James II. During the election for this Parliament the names of Whig and Tory first came into use. Under the appellation of Tories were known those who refused to concur in excluding the Roman Catholic Duke of York and his issue from the throne, while the supporters of the Exclusion Bill were dubbed Whigs. The local leaders of the latter party were the Lowthers. In this Parliament the Exclusion Bill was strongly opposed by Sir Christopher Musgrave, who argued that as Parliament could not alter the succession to the throne of Scotland, a civil war would be the consequence, which he, living as he did near the Borders, much dreaded. The House of Lords rejected the Bill by a large majority, and the King again dissolved. The result was a Parliament in which the Whigs still had a majority, but by no means so large a one as in the last, and in it Sir John Lowther of Lowther regained his seat for Westmorland. This Parliament met at Oxford, proved as hostile to the King as its predecessors, and was dissolved after a session of a few days. An extensive Tory reaction had, however, set in, but the King never summoned another Parliament. The boroughs were meanwhile subjected to a process which put them under the royal power, instances of which have already been told in this volume in the cases of Appleby and Kendal, and elsewhere of Carlisle. Sir John Lowther of Lowther, in his "Memoirs of the Reign of James II.," insinuates that Sir Christopher Musgrave and

Sir George Fletcher, in their zeal for King Charles II., were much to blame for the illegal surrender of the charters of Appleby, Kendal, and Carlisle. The new charters granted to these and other places gave to the Crown power to nominate most of the members of the corporations. The importance of this to the Crown was owing to the fact that corporations had gradually, by usurpation, become the comptrollers of their local elections, in derogation of the rights of the original voters. The King, however, never ventured to try the strength of this Tory reaction. He died in 1685, without ever having summoned another Parliament.

Charles's death brought the Tory reaction to high-tide; and when James II., soon after his accession, summoned his only Parliament, the Tories came to Westminster in an overwhelming majority.

Spite of the large majority which the King could command in this Parliament, things did not go as he wished. A Tory leader, Sir Edward Seymour, soon dared to complain that undue influence had been exerted by the Court at the General Election. No one then ventured to re-echo his sentiments, but before long a small body of members, headed by Sir John Lowther of Lowther, pressed for an inquiry into the abuses at the General Election, which had created great excitement in the public mind.¹ Sir Edward Seymour, in his bold speech on the same subject, went so far as to say "it was matter of vulgar notoriety, it was matter which required no proof, that the Test Act, the rampart of religion, and the Habeas Corpus Act, the rampart of liberty, were marked out for destruction." Such, indeed, were the King's designs, coupled with a wish to increase the standing army, and put the militia, on which he could not rely,

¹ Macaulay says it was Sir John Lowther of Whitehaven; but the "Memoirs of the Reign of James II." make it quite clear that it was the author of that book, Sir John Lowther of Lowther.

into a place of secondary importance. These projects broke up the King's majority in the House, and ruined his power and popularity throughout the country, which had been augmented by the failure of Monmouth's rebellion. In the north Monmouth met with no supporters. The Whig aristocracy of the kingdom stood aloof from him; the peasantry of Westmorland and Cumberland had never seen him, for he had never made an almost royal progress through those counties as he had through the west of England. On the failure of this rebellion and its effect, Sir John Lowther in his memoirs writes: "Thus all rebellions that are not successful strengthen the prerogative; for my Lord Russell's plot first made the King, when Duke, popular; and Monmouth's rebellion gave occasion for raising an armie which continues to this day." The King continued bent on repealing the Test Act, and on so admitting Roman Catholics to office. With this in view he issued his famous "Declaration and Indulgence." He tried, in personal interviews, to cajole members to promise their votes in favour of repeal, while his judges on circuit had orders to try and work on the representatives who were absent from London. These efforts were, however, of no avail, for the Protestant feeling of the nation was fully aroused; the majority against the proposed repeal grew stronger, and in July, 1687, the King felt compelled to dissolve a Parliament which, of all the fifteen returned during the Stuart dynasty, had contained the most supporters of that family.

The King resolved to pack a Parliament, and every engine that could be devised was put in motion to return such a one as would be obsequious to his behests. The boroughs were again tampered with through the instrumentality of their charters, and manipulated so as to ensure their returning such members as the King would wish. The Lord-Lieutenants were ordered off to their

counties with a series of questions which they were to put to every Deputy-Lieutenant and Justice of the Peace, and to return to the Government the answers they received. Half of the Lord-Lieutenants declined such work, and were immediately dismissed—among them the Earl of Thanet, up to this time a firm supporter of the Stuarts. Viscount Preston succeeded him in Cumberland and Westmorland. The new Lord-Lieutenant summoned every Deputy-Lieutenant and Justice of the Peace in the counties of Westmorland and Cumberland to meet him at the George Inn at Penrith, on Tuesday, December 27, 1687, where he put to them the following three questions, which had been drawn up by the Privy Council :

1. If in case you shall be chosen knight of a shire or burghess of a town when the King shall think fit to call a Parliament, whether you will be for taking off the Penal Laws and Tests ?
2. Whether you will assist and contribute to the election of such members as shall be for taking off the Penal Laws and Tests ?
3. Whether you will support the King's declaration for liberty of conscience by living friendly with those of all persuasions, as subjects of the same Prince and good Christians ought to do ?

On the motion of Sir John Lowther of Lowther, seconded by Sir Daniel Fleming, it was agreed that each gentleman should write his own answer, and the meeting adjourned for an hour to enable that to be done, the Protestants withdrawing into one room and the Papists into another.

Within an hour's time all were ready with their answers ; and then, returning to his Lordship, and taking again their places at the table, Sir George Fletcher stood up and read aloud his answer, which was pretty long, consenting to indulge tender consciences, but as to the Test, referring it to the debate of the House, and declaring that he would stand for a Knight of the County of Cumberland. Sir William Pennington read also his answer, consenting to indulge tender consciences, and to take away the Tests, so far as it shall not be prejudicial to the Church of England. Then Sir John Lowther read his answer, which was as followeth :

- " 1. If I be chosen a member of Parliament I think myself obliged

to refer my opinion concerning the taking away the Penal Laws and Tests to the reasons that shall arise from the debate of the House.

"2. If I give my interest for any to serve in the next Parliament, it shall be for such as I shall think loyal and well affected to the King and the established Government.

"3. I will live friendly with those of several persuasions, as a loyal subject and a good Christian ought to do."

After whom Sir Daniel Fleming, Sir John Ballantine, Edward Stanley, William Fleming, John Senhouse, Miles Pennington, Christopher Dalston, Anthony Hutton, Edward Musgrave, Henry Brougham, Thomas Denton, Christopher Richmond and Edward Hassel, Esquires, gave in the same answers, *verbatim*, as Sir John Lowther did, only with the change of their several names thereto. Francis Howard, Thomas Braithwaite, William Fletcher and John Skelton, Esquires (Papists), gave in several answers, but were all for taking off the Penal Laws and Tests ; and so did Thomas Warwick, Henry Dacre, John Aglionby, — Orfeur and Thomas Dalston, Esquires (esteemed Protestants), the last of them abominating the Test Laws. Richard Patrickson answered, particularly consenting to indulge tender consciences, and referring the Test to the consideration of the Parliament. All these answers were delivered to his Lordship before Sir Richard Musgrave, of Hayton Castle, arrived, who answered afterwards to the effect of Sir John Lowther's answer. . . . Soon after this meeting Lord Preston wrote to every one of the absent gentlemen thus :

"SIR,—Not meeting you with the rest of the gentlemen at Penrith, I take this way of communicating to you the following three questions, to each of which in particular I am from his Majesty to desire your answer.

"I am, sir,

"Your most humble servant,

"PRESTON."

Sir Christopher Philipson, Edward Wilson, Thomas Fletcher, John Lamplugh, and Richard Lamplugh, Esquires, answered affirmatively.¹

We thus see that by far the greater part of the country gentlemen were in opposition to the King's designs, and that among his opponents were men bearing names of

¹ Nicolson and Burn, vol. i., pp. 165-170 ; Ferguson's "Cumberland and Westmorland M.P.'s," pp. 45-51. See also "The Penal Laws and Test Act," by Sir George Duckett, vol. i., pp. 29-50, where all the answers are set out.

the genuine old Cavalier ring, Musgrave, Fleming, Dalston, and such-like.

The boroughs had already been secured to the King's side: Sir John Lowther of Lowther says:

It is to be observed that most part of the offices in the nation, as justices of the peace, deputie lieutenants, maiors, aldermen and freemen of towns are filled with Roman Catholics and Dissenters, after having suffered as manie regulations as were necessary for that purpose. And thus stands the state of the nation in the month of September, 1688.¹

Sir John Lowther of Lowther must have been behind the scenes, and versed in the negotiations which preceded the Revolution: he was on intimate terms with the Duke of Somerset, who visited Lowther Hall either in August or September, 1687, almost immediately after he had been disgraced at Court by James II. for refusing to swell the pomp of the Popish Nuncio, Signor Dada.² The Duke was one of the earliest adherents to the side of the Prince of Orange, and one cannot but imagine that the arrangements for the Prince's landing at Hull were the subject of anxious discussion at Lowther Hall, while the Duke was a guest there. The following is again taken from Sir John's memoirs:

October, 1685.

In the mean time nothing was left undone that might putt the King in a posture to defend himself. Commissions were granted for raising men, to almost all that would take anie. Infinities of men prest for the shippes, and fforces drawn out of Ireland, ten men ordered to be added to everie companie, and the whole armie of Scotland marched through this countie the 12th & the 13th of this moneth: which, as Major-General Clavers,³ who, being my old acquaintance, did me the honour to call here, assured me did not amount to 3,000 men. And yet all this while no news of landing. They carried with them a small train of five gunns. The hors and dragoons went to York, the ffoot through Lancashire to joyn the Irish.⁴

¹ "Memoirs of the Reign of James II.," pp. 33, 34.

² *Ibid.*, pp. 24, 25, n.

³ Claverhouse.

⁴ "Memoirs," *ut ante*, pp. 48, 49.

Meanwhile Sir John Lowther of Whitehaven, by a daring deed, crippled the Irish garrison of Carlisle, and cut off Claverhouse's retreat into Scotland. He was informed that a vessel, laden with arms and ammunition for the garrison of Carlisle, was lying in the harbour of Workington; he assembled his tenants and marched by night to Workington, and seized the vessel and her cargo. This bold deed was probably the first overt act of rebellion against James II., and had William of Orange failed to land or been unsuccessful, the heads and quarters of probably both the Sir John Lowthers would have been long visible over the gates of Carlisle.¹ The Prince of Orange landed, not at Hull, where he was expected, but at Torquay, and the Lowthers immediately secured the two counties for him without any resistance from the Irish garrison at Carlisle, who, being deprived of their expected reinforcements of arms and ammunition by Sir John Lowther of Whitehaven, appear to have melted away, and William III. was proclaimed at Carlisle by the High Sheriff.

¹ For an account of this daring episode, see a paper on "Sir John Lowther of Whitehaven," by the late William Jackson, F.S.A., *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. ix., pp. 333, 349, 350.





CHAPTER XVI.

LOWTHER V. MUSGRAVE.

THERE is little to detain the purely local historian in the records of Westmorland during the reign of William III. and his Queen, Mary, and of Queen Anne ; the scene of action shifts to Westminster, and there the local representatives played a brilliant part, but we have detailed elsewhere¹ the election contests that they waged, and the positions that they attained in Parliament. Never, except in the reign of William III., have both the Ministerial and Opposition leaders in the House of Commons hailed from the sister counties, and from ancestral estates whose boundaries must in many places have been, and even now continue to be, conterminous. It is even more curious to find the two great rivals both sitting, as they did from 1689-90 to 1695, for the same constituency, Westmorland ; though in the previous Parliament Sir Christopher Musgrave had represented Carlisle, while in a subsequent one he represented Appleby. Sir John Lowther of Lowther always adhered to Westmorland, while Sir John Lowther of Whitehaven represented Cumberland.

Sir Christopher Musgrave became the leader in Parliament of the High Tories and of the country gentlemen.

¹ "Cumberland and Westmorland M.P.'s," pp 59-98.

It is a little difficult to see how it was as he spoke and for the Exclusion Bill, as such by Sir James Oglethorpe describes him as a friend of Sir John Lowther of Lowther in the Commons and as a particularly the object of attack by the squires under Musgrave. This was transported from Westminster to be shut out there. The clue to the character of Sir John Lowther of Lowther is given in the following speech made by him on the question of the settlement of the

noblemen consider whether it is not necessary that confidence in the King. I doubt not but that the Parliaments oftener. If I had thought him a man of merit to call Parliaments, I should never have ventured to vote for him, and if he would not have continued to support the Protestant religion.

Parliaments and the Protestant religion were the principles of Sir John Lowther of Lowther, and he was prepared to support the Government that would pursue these objects. Spite of Lord Macaulay's authority, Sir John Lowther of Lowther is rather to be reckoned a Whig than a Tory.

When William III. formed his first Ministry, he selected for the highest posts four noblemen representing four different classes of politicians, viz. : Shrewsbury, the darling of the Whigs; Halifax, chief of the trimmers between Whigs and Tories; Danby, a Tory leader, who had supported the Revolution on Protestant grounds; and Nottingham, representative of Tories who would have nothing to do with bringing about the Revolution, but now that it was accomplished were willing to support

and obey the *de facto* King. Sir John Lowther of Lowther was made a Privy Councillor, and shortly afterwards Lord-Lieutenant and Custos Rotulorum of Westmorland and Cumberland, while his cousin, Sir John Lowther of Whitehaven, became a Commissioner of the Admiralty.¹ Sir Christopher Musgrave got nothing, and to this Bishop Burnet attributed his long Parliamentary opposition to William III., but Musgrave had been in opposition to the King before this distribution of places and honours was made.

The Whigs in the first Parliament of William III. found themselves strong enough to pay off old scores, and made an attack upon Lord Danby, thus driving his followers, including Sir John Lowther of Lowther, into temporary alliance with the out-and-out Tories of the Musgrave stamp. The King was at last so embarrassed by the difficulties of his position arising from the contentions of political parties that he resolved to return to Holland, a resolution from which he could hardly be dissuaded. He yielded at last, and prorogued Parliament, to the joy of the Tories. Within a few hours after the prorogation a hundred and fifty M.P.'s of that party held a grand dinner at the Apollo Tavern, in Fleet Street, and sent Sir John Lowther of Lowther to thank the King on their behalf, and wish him a long reign.

The two Sir John Lowthers retained their seats in the second Parliament of William III., but Sir John Lowther of Lowther had Sir Christopher Musgrave as his colleague in the representation of Westmorland. In this Parliament, Danby, now Marquis of Caermarthen, became practically Prime Minister, and Sir John Lowther of Lowther became First Lord of the Treasury and leader

¹ Lord Macaulay in his History does not seem to grasp the fact that there were two Sir John Lowthers in Parliament at the same time, and he rolls the two up into one man. See "Cumberland and Westmorland M.P.'s," p. 63.

of the House of Commons. His qualifications and deficiencies for the post have been well summed up by Lord Macaulay in a passage too long for quotation.¹ The new Lord of the Treasury was, as Lord Macaulay writes, "too awkward and too scrupulous" to be entrusted with the purchase of members of the House. Sir John Trevor was selected for that purpose, and on Lowther's motion was elected Speaker when the new Parliament assembled; "he willingly undertook that secret and shameful office for which Lowther was altogether unqualified." Throughout this Parliament Lowther acted as the Ministerial leader of the House, and had in Sir Christopher Musgrave a constant opponent, for Lowther's official position alienated the country squires from him, and they found in Sir Christopher a leader of political antecedents and qualities much more to their tastes. The first question which came before the new Parliament was one left over from the last—the settlement of the revenue, and on what terms the King was to have it. Lowther, in his capacity as Ministerial leader, moved for a grant to the King and Queen for their joint and several lives, and spoke repeatedly and earnestly in defence of this motion. He had, however, the mortification to find all parties, Whigs and Tories alike, averse to this proposition, and, at the instigation of Musgrave, a grant for four years only was carried. The great party fight, however, of the session was on a Bill introduced by the Whig minority, called the Abjuration Bill, by which it was proposed to require all persons holding any office to abjure King James in the most stringent terms. Such a proposition was, of course, most distasteful to the Tories, and, as the Whigs intended it to be, most embarrassing to those who had taken office under the new monarch, whose resentment they might have cause to apprehend in the event of

¹ "History of England," vol. v., p. 169; see also "Cumberland and Westmorland M.P.'s," pp. 66, 401, 402.

their opposing the Bill. Lowther evidently felt the awkwardness of his position, and his speech on the motion for committing the Bill betrays the difficulty he was in, and out of which he proposed to get by modifying the terms of the proposed oath so as to make it run—"not to assist King James." King William, however, relieved Lowther from his dilemma by expressing his own objection to the Bill, and so ensuing its miscarriage. According to some writers the Tories tried forthwith to atone for any suspicion of disloyalty to William that might arise from their conduct on the Abjuration Bill by hastening to suspend the Habeas Corpus Act, and so enable the King to commit all persons found in correspondence with King James. Sir John Lowther was certainly in favour of this suspension, but Sir Christopher Musgrave spoke most strongly against it. The session was shortly after this—in May, 1690—brought to a close, and the King went to Ireland, having first appointed a Council of Nine to assist the Queen; of this Council Sir John Lowther of Lowther was a member. The next session of Parliament, in October, 1690, was short. At its close we find Caermarthen falling into unpopularity, and drawing with him Lowther, who had lost his place as First Lord of the Treasury, but was still, according to Lord Macaulay, a member of the Treasure Board, though Beatson in his "Political Index" omits him altogether from the list of the Treasury after his deposition from its head. It is most probable that Beatson was right, and that Lowther of Lowther retained only his place as one of the nine, which nine formed a Cabinet Council, then a novelty to which the House most strenuously objected. Lowther's successor in the post of First Lord was Lord Godolphin, now the associate of the Whig leaders.

When Parliament reassembled in October, 1691, a debate was at once raised upon the salaries of official men, and in its course a determined attack was made

upon Sir John Lowther of Lowther, whom the country gentlemen, headed by Musgrave, considered as a deserter from their side, a courtier and a placeman, while a present of 2,000 guineas, which he had received from the King, had brought him into still greater unpopularity. It was Lowther's part to defend the fees and salaries so attacked, and the badgering he was subjected to drove him nearly wild. Lord Macaulay says, "The taunts and reproaches with which he was assailed were insupportable to his sensitive nature." He lost his head, almost fainted on the floor of the House, and talked about righting himself in another place.

That Lowther felt this treatment bitterly appears from a letter of his to his son :

What man that hath bread to eat can endure, after having served with all the diligence & application mankind is capable of, and after having given satisfaction to the King, from whom all Officers of State derived their authoritie, after acting rightly to all men, to be baited by men who do it to all people in authoritie ?

Sir Christopher Musgrave led the attack in Parliament on his Westmorland neighbour. The session ended in February, 1692, when the King refused to assent to a Bill to fix the salaries of the judges. Almost immediately afterwards, according to Lord Macaulay, Lowther was moved from the Treasury to the Board of Admiralty. This, apparently, is an error on his lordship's part ; for, according to Beatson's "Political Index," Sir John Lowther of Whitehaven, who was previously at the Admiralty Board, continued at it until 1696, and Sir John Lowther of Lowther never held a seat at that Board. The "Parliamentary History" confirms us in this supposition ; for on Colonel Churchill, in 1693, bringing a direct charge against the Admiralty Board, a Sir John Lowther at once gives him the lie, and is described in the "Parliamentary History" as "a Commissioner of the Admiralty," apparently to distinguish

him from Sir John of Lowther, who was as frequent a speaker in the House as his cousin of Whitehaven was a rare one, and who in the debate on Churchill's charge followed his cousin almost directly.

In the summer of this year (1692) the Parliamentary war between the Lowthers and Musgraves was removed to Carlisle, where the Town Council, by a unanimous vote, deprived young Christopher Musgrave, their representative in Parliament, of the freedom of the city—a high-handed proceeding which Parliament forthwith compelled them to undo in a manner that was humiliating to the civic fathers.¹

In the session that assembled in the autumn of 1692 parties were in a singularly complicated state; for not only were they divided into Whigs and Tories, but also into "Ins" and "Outs," or the "Court" and "Country" parties, or "Grumbletonians," as the last were called, and these double divisions were not coincident with one another. For instance, Sir John Lowther of Lowther was, according to Lord Macaulay, a Tory and a Courtier, and Sir Christopher Musgrave was a Tory and a Grumbletonian. The management of the war, both by sea and land, was made the subject of attack, and Sir John Lowther, as one of the Council of Nine, had to defend the Government. We find him excusing the King for employing foreign generals in command of English troops, and being attacked about Government mismanagement generally. A grand debate was held on the occasion of the King's asking the advice of the House, in the course of which much objection was raised to the Council of Nine as an inner or Cabinet Council within the Privy Council. It was defended by Sir John Lowther of Lowther on the ground of convenience and safety. He said he was a member of it, and added: "I had rather be at home." He did indeed

¹ See "Cumberland and Westmorland M.P.'s," p. 69.

prefer his house and gardens at Lowther to the 'worry and labour of office.

Throughout this session we find Musgrave and Lowther in direct opposition, not only on the estimates and on questions as to the conduct of the war, but on the constitutional question, which was now agitated, of the duration of Parliaments. Lowther objected to the Bill for triennial Parliaments, while Musgrave supported it, thus joining himself to the Whigs out of office, who, as a body, were largely in favour of the Bill. Lowther, by the course he pursued on this Bill, severed himself from his patron, Caermarthen. The Bill passed both Houses, but the King refused to assent to it. The Commons had also passed, almost undiscussed, a Place Bill, which the Lords threw out. So far as these great constitutional questions were concerned, this session was barren of result; it ended in March, 1692-93. When Parliament assembled in November, 1693, Musgrave became more pre-eminently than ever the Tory leader, for Sir Edward Seymour's day was over; by accepting office Sir Edward had lost his influence with the Tory squires. The Parliament was prorogued in May, 1695, and was dissolved in the October of that year, in order that the elections might be carried in the midst of the joy excited by the fall of Namur.

Locally—that is, in Westmorland and Cumberland—the election contests were of great severity, and marked by much rioting at some places. On the whole, the Lowthers, or King's friends, had the best of it; for the Musgraves lost their seats for Westmorland and for Carlisle, and Sir Christopher had to take refuge, probably by the assistance of the Tuftons, at Appleby. Both the Sir John Lowthers retained their seats for Westmorland and for Cumberland, as also did a James Lowther at Carlisle, where he had got in during the last Parliament at a by-election. During this Parliament Sir John

Lowther became a peer, and, owing to his health, withdrew to a great extent from politics. Sir Christopher also, from this time, is less heard of in Parliament, and seems to have yielded up his leadership to younger men. He did, however, as leader, make show of opposition to the address of thanks to the King on his speech in opening Parliament.

In this Parliament the grant to King William of the revenue for four years expired. It was readily renewed; but a question arose as to the amount, and Bishop Burnet tells a curious tale, which seems to rest only on his authority. He says that when Lowther proposed that the amount should be a million, Musgrave at once moved to reduce the vote by £300,000, and the amount actually fixed was £700,000 per annum. The Bishop states that all this was a prearranged performance between the King and Musgrave, and that thus the King got at least £200,000 per annum more than would, without Musgrave's connivance, have been granted by the House. He adds that Musgrave, for his part in the business, received the sum of £12,000 in gold from the King's hands, but unluckily dropped one of the bags as he retired down the back-stairs, which led to the discovery of the intrigue. Burnet adds that Musgrave received money from the King on other occasions for inducing his Tory followers to accede to the royal wishes. Whether the story be true or false, it was circulated at the time, and is alluded to by Pope in the lines :

Once we confess beneath the patriot's cloak, etc.

The universal corruption which prevailed everywhere in the days of Charles II., and to which we have before alluded, had so lowered the moral tone of public men that there is nothing improbable in the story. So universal, indeed, was the habit of easing little difficulties by money transactions, that few public men of the day

would have hesitated at such a transaction as improper. Burnet, indeed, may be wrong in his story about Musgrave, as he was in the one we have before discussed, and for the credit of the North let us hope so. Plenty of instances could, however, be shown, between the days of Charles II. and Queen Anne, in which money passed between the Sovereign on the throne and his subjects in the House. Such a thing was hardly a bit worse than the then common prostitution of places and pensions to political purposes, and to secure political adherents. One excuse may be urged for Musgrave, if, indeed, he took the money, and at the time it would be of validity. The Tory party, in giving the annual sum of £700,000, had some understanding with the King that he was to give the Princess Anne and the Duke of Gloucester an increase of allowance. For arranging such a benefit to persons whom the Tory party always supported, Musgrave might, according to the habit of public men of the time, well consider himself entitled to a bonus on their behalf. Burnet, who hated the Tories as much as the Tories hated him, would have little scruple in giving shape and currency to any report or assertion that could throw a slur on one of their leaders.

In this Parliament the question of a standing army was first and hotly discussed, the Tories and non-official members being resolute against such an innovation on the constitution. This, the third Parliament of King William, expired by effluxion of time under the Triennial Act of 1695, and in the new one Sir Christopher Musgrave disappears from Appleby, and reappears as Member for the University of Oxford. The fourth Parliament was dissolved by the King after two sessions on account of an address aimed at his Chancellor and favourite, Lord Somers. In this attack Sir Christopher Musgrave was the leader, and it was under his guidance and experience

in wording Parliamentary resolutions that the proposed address took the form it did, viz., to ask the King "to remove John, Lord Somers, Lord Chancellor of England, from his presence and Council for ever." The motion for this address was defeated on a division, but another was carried for an address requesting the King to admit no person not a native of his dominions, except Prince George, to his Privy Council. The King, however, by a prorogation, put a stop to the session, so that the address could not be presented, and then dissolved Parliament. During the existence of this Parliament, in 1699, Lowther, now Viscount Lonsdale, was drawn from his retirement in the North, and reluctantly, "and only in compliance with the earnest and almost angry importunity of the King," took the office of Lord Privy Seal. The fifth Parliament of William III. was the most hostile the King ever had to face: in it Sir Christopher regained his seat for Westmorland, and had a Tory colleague. It impeached Lord Somers, but was dissolved before long by the King, who took advantage of the burst of loyalty towards him excited by the French King, on the death of James II., recognising the Old Pretender's right to the English throne. From its successor Sir Christopher disappeared, but this Parliament was brought to a very speedy end by the death of the King, and within six months new writs were issued for the election of the first Parliament of Queen Anne.

The returns to the writs, issued in the name of the new Queen, brought together a Parliament intensely Tory in its feeling. Sir Christopher Musgrave reappeared as Member for Westmorland, and two more of the family found seats, one for Cumberland, and one for Carlisle: no Lowther was returned by any of the Westmorland and Cumberland constituencies. Sir Christopher was appointed by the Queen a Privy Councillor, but spite

of this he did not become a Courtier. When Parliament assembled, the Queen recommended the Duke of Marlborough to the House for a pension of £5,000 for ever to himself and his heirs. Her message so astonished the House that for some time no member spoke, but when the ice was once broken, Sir Christopher Musgrave had the boldness to say, "I will not derogate from the Duke's eminent services, but I think he is very well paid for them." "And then," says Oldmixon, "in an invidious manner he reckoned up the profitable employments enjoyed by him and his Duchess." The Queen withdrew her proposal, but the House afterwards made a settlement upon the Duke, shortly after which people noticed with malice that Christopher Musgrave the younger was appointed to be sworn Clerk of the Privy Council.

Sir Christopher Musgrave died during the recess of Parliament in 1704; the historians of the day say that with him expired the wisest man of his party. His great rival, Sir John Lowther of Lowther, Viscount Lonsdale, had died in 1700 at the early age of forty-five. The deaths of these two statesmen were far from putting an end to the great political struggle between Lowthers and Musgraves, but it ceased to be conspicuous at Westminster: the war was carried on in the four constituencies of Westmorland, Cumberland, Appleby and Carlisle with great severity. Immediately after the Restoration, the local struggle for political supremacy was between the Musgraves and the Howards, but the latter family retiring for a time from the local arena, the Lowthers came upon the scene. For two reigns, those of William III. and of Anne, the fight was waged in the four constituencies just mentioned with internecine severity. In Westmorland the Lowthers had for allies the powerful Whartons, whose estates at Shap and Wharton they purchased in 1728, while the Musgraves found allies in the Jacobite Grahams

of Levens, and the Tory Earls of Thanet. Into the details of those elections it is foreign to our purpose to go—we have done it elsewhere;¹ but the personal interest of the contest between the two great leaders has induced us to dwell upon it perhaps too long.

¹ "Cumberland and Westmorland M.P.'s," chaps. iii. and iv.





CHAPTER XVII.

THE '15 AND THE '45.—THE SKIRMISH AT CLIFTON.

DURING the occupation of the English throne by William III. and Queen Mary, and by Queen Anne, James II., and after his death his son "James III.," or the Old Pretender (by whichever name our readers may prefer to call him), never ceased to entertain hopes of regaining their lost position. At first they tried force, but in Scotland the battle of Killiecrankie, and in Ireland the battle of the Boyne, decided the fate of James's cause in those two countries. But the friends of the banished family never ceased to intrigue on their behalf and to keep up a correspondence with their adherents in England; schemes and plots for the restoration of James II., and, after his death, for the elevation of his son to the throne, were constantly formed and discussed throughout the country. But the actual accession of the Hanoverian dynasty was received quietly enough in the two counties of Westmorland and Cumberland. The country people, whatever their feelings might be, made but little sign, and, following the precedent of the Revolution, left all active measures to the great landowners. As, however, the order of the Privy Council for the proclamation of King George was signed by the Duke of Somerset, by James Lowther, and by Christopher

Musgrave the younger, it is evident that none of the local gentry were likely to actively oppose the new order of things; indeed, the Duke of Somerset, the Earl of Carlisle, and the Marquis of Wharton were among the noblemen whom the new monarch appointed to be guardians of the kingdom until he should arrive from abroad, and on whom he conferred particular marks of his royal favour. But the case was different in Lancashire, which had long been a focus of Jacobite intrigue. In Manchester a mob was organized, and proceeded to pull down the Presbyterian meeting-houses in many places, but was ultimately dispersed by the military. A conspiracy was formed in London, the object of which was to promote the claims of James III. of England and VIII. of Scotland, and from London a correspondence was carried on with leading Jacobites in various parts of the kingdom. In Northumberland an old soldier of James II., Colonel Oxburgh or Oxborough, under which last name he was afterwards indicted for high treason, was a principal agent between the Jacobites there and those in London, and he and a few others, disguised as tourists, spun the web of the plot over the northern counties. But their doings seem to have been more or less known to the Government, for in July George I. announced that the Jacobites were about to put their threats into execution.

About the latter end of August, 1715, the Earl of Mar called together the chieftains of the Highland clans, and raised the standard of rebellion against the Hanoverian dynasty. Considerable numbers flocked thereto, and they proclaimed James III. and VIII. at various places, gathering strength as they went on, and ultimately securing first Perth and then Leith. At the same time the Northumberland conspiracy was ripening. Its leaders were the Earl of Derwentwater, who held vast estates in Northumberland and Cumberland, and whose generous

and charitable disposition had rendered him extremely popular; Lord Widdrington, another nobleman of ancient family in Northumberland, and well known for his hospitable character; Mr. Thomas Forster, of Bam-borough Castle, member for the county, and his chaplain, the Rev. Robert Patten, a wretch who afterwards turned King's evidence to save his sorry life, and wrote an account of the outbreak.¹ On October 6, 1715, Mr. Forster gathered together his adherents, and, joining the Earl of Derwentwater and Lord Widdrington, marched to Warkworth and proclaimed James III. as King of Great Britain. They then wandered rather aimlessly about Northumberland, being disappointed to ascertain that Newcastle would not rise on behalf of the Stuarts, but was raising and arming men on behalf of the Hanoverian dynasty. Finally they marched to Kelso. Here they were met by a detachment from the Earl of Mar's army, and, after many of the Highlanders had declined to leave Scotland, they took the foolish resolution of marching into England, being deluded by a report that 20,000 men would join them in Lancashire. They marched by Langholm, and Longtown in Cumberland, and thence to Brampton, thus avoiding Carlisle, a stone-walled nut they had no mind to try the cracking of, being without guns, while the Mayor of the city and Governor of the castle was one of Marlborough's Generals, Brigadier Thomas Stanwix; he could only have had a very small garrison, but two companies of Chelsea pensioners were on the march to reinforce him. The intention of the Jacobite leaders was to have crossed the Eden by the waths between Carlisle and the sea, but the river was too high, and they were obliged to go by Brampton, where

¹ "The History of the Late Rebellion, with *Original* papers and the characters of the principal Noblemen and Gentlemen Concern'd in it. 2nd edition. London: printed for J. Warner at the *Black Boy* in *Pater-Noster-Row*, 1717."

they proclaimed James III. and seized the Excise money; there also Mr. Forster opened his commission to act as General in England, which had been brought him from the Earl of Mar. Next day, November 2, 1715, they marched for Penrith; as they approached that place they found the *posse comitatus* of 14,000 men, armed with guns, scythes and pitchforks, drawn up to meet them under Lord Lonsdale and the Bishop of Carlisle¹ (Nicolson), who was present in his coach and six; some half-pay officers were also there. When the Highlanders appeared, the *posse comitatus* very wisely disappeared without loss of life, one man alone being accidentally shot through the arm. Lord Lonsdale and the half-pay officers, thus deserted, rode off, but to no further distance than Appleby Castle, where they stayed the night; the Bishop declined to move, but his coachman whipped up his horses and carried the Bishop, *willy nilly*, to Rose Castle. It is said the Prelate lost his wig while shouting from the carriage window for his coachman to stop; he was pursued by some horse and the Rev. Robert Patten, who had once been Curate of Penrith, but the pursuing party was recalled by an order from Mr., now General, Forster. Some horses and arms were captured from the *posse comitatus*. The Jacobites next entered Penrith, where they levied a contribution of £500 on the town, and would have pulled down the Presbyterian meeting-house had not their General prohibited them from doing so. They also sent a party to Lowther Hall, under Colonel Oxburgh, to capture Lord Lonsdale and search for arms and horses; they found neither, but took up their quarters there for the night, and are accused of

¹ Some accounts say the Earl of Carlisle, but the writers have not known that in the seventeenth and early eighteenth century the Bishop of Carlisle was known as "my Lord of Carlisle," as the records of the Corporation of Carlisle show. The number stated to be present, 14,000, is incredible.

having plundered the place. On the 3rd the Jacobites marched to Appleby, shooting *en route* two or three of Lord Thanet's deer and some rabbits; there they stayed until the 5th. While there, Patten was ordered to read papers in the church if the vicar or curate refused; they excused themselves, but made no difficulty about ringing the bells, attending the service, and joining in prayers for James III. While the Jacobites were at Appleby, the two companies of Chelsea pensioners that were marching to reinforce the garrison of Carlisle passed within three miles of them; this says little for General Forster's intelligence department; he thus missed what would have been a welcome capture in the way of arms. "The Chelsea-Collegians," Patten says, "were old and well disciplined, and resolved to make a vigorous defence, if assaulted, by forming themselves into a hollow square, under the conduct of undaunted officers." It is clear these veterans knew more about the Jacobites than the Jacobites did about them; had they been as ignorant, they would probably have marched into Forster's army at Appleby in search of quarters for a halt. On leaving Appleby, the Jacobites carried off one of the magistrates of that borough whom they suspected of having a few hundred pounds concealed in his house. The sturdy Appleby burgher could neither be made to confess where his coin was nor to drink the rebel toasts his captors tried to force upon him. He even over his, or rather their, liquor predicted their speedy discomfiture, until, after a few days of enforced travelling, he was released. It is a pity that the name of this honest burgher of Appleby is not preserved by Oldmixon; possibly he was Mr. Baines, bailiff to the Earl of Wharton, whom Patten says the Jacobites lodged in the Moot Hall, being informed against by some in the town that he knew where the Excise money was.

On the 5th the Jacobite army, about 1,600 strong,

arrived at Kendal, where they proclaimed James III.; here they got no adherents, but the Mayor, Thomas Scarisbrick, noted particulars of their numbers and other matters, and contrived to send them by messenger to the officers commanding King George's troops at Warrington and Liverpool. On the 6th the Jacobite army reached Kirkby Lonsdale, where they proclaimed James III., and also had prayers read in the church by Patten, as the vicar had absconded. They were accompanied, Patten tells us, by "one Mr. Guin, who went into the churches on their way, and scratched out his Majesty King George's name, and placed the Pretender's so nicely that it resembled print very much, and the alteration could scarcely be perceived." Up to now the Jacobites had received no accession of strength since entering England but one Mr. John Dalston and a gentleman from Yorkshire—nay, several had deserted from them between Penrith and Appleby—but at Kirkby Lonsdale some Lancashire gentlemen and their servants joined. On the 7th the Jacobites entered Lancaster; they had made a great mistake in ever entering England at all; they made another in leaving Lancaster on the 9th for Preston, where on November 13 they surrendered to Generals Wills and Carpenter, the day of the indecisive battle of Sheriffmuir between the forces of the Earl of Mar and those of the Duke of Argyll, and from that day the outbreak of the '15 was practically over.¹ The total number that surrendered at Preston is given by Patten as 1,489; of these, 638, "being generally of the common sort," says Patten, were transported from Liverpool to the colonies; eleven, including Lords Derwentwater and Kenmure, were executed in London; nine at Lancaster;

¹ An interesting account, by Mr. W. O. Roper, of the Jacobite doings at Lancaster, is in the *Transactions, Lancaster Philosophical Society*, under the title of "Lancaster and English History.—The Fifteen." To it I am much indebted.

sixteen at Preston; four at Liverpool; four at Garstang; five at Manchester; five at Wigan; and two in Scotland—or fifty-six in all; eight died in Newgate, forty-three in Lancaster Gaol, and one or two elsewhere. The rest were accounted for under a free and general pardon. General Forster made his escape out of Newgate.

The outbreak of 1745 was a much more formidable affair than its predecessor of 1715. Prince Charles Edward landed in Scotland near Arisaig early in the month of August, 1745, and raised his standard at Glenfinnan. He dexterously avoided Sir John Cope, who, with about 1,500 men, had been sent to oppose him, and captured first Perth and then Edinburgh. On September 21 he signally defeated that luckless General at Prestonpans, and the outbreak assumed a formidable character. After an unaccountable delay of six weeks, which gave the English Government time to bring troops from the Continent, to raise new regiments, and to call out the militia, the Prince, at the head of a considerable army, marched southwards. On November 8 his forces concentrated at Longtown, and on the following morning a party of fifty or sixty, well mounted, and supposed to be officers, appeared before Carlisle. The garrison of that city consisted of two companies of veterans, in all eighty men, and of a master-gunner and four gunners, two of whom were very decrepit old soldiers, and two townsmen, who had been appointed, by way of reward, for voting straight. The Commandant was Captain Gilpin, late of the 12th Foot, and a local man. When the news of the battle of Prestonpans reached Carlisle, Gilpin commenced to put the place, ill calculated as it was to stand a siege, into the best state he could. With this view he threw up some outworks where he thought the town weakest, fortified his batteries with earth and sandbags, stored provisions, and drew into the garrison what troops he could, about 700 men of the Cumberland

and Westmorland militia. While Captain Gilpin was taking these steps, he was superseded by an officer sent from London, Colonel Durand, under whom, however, he continued to act with cordiality. The fate of Carlisle is well known, and the history of the two sieges—the first by the Highlanders and the second by the Duke of Cumberland—has been told by a local writer in a book that should be better known.¹ That writer had access to papers left by Dr. Waugh, then Canon of Carlisle and Chancellor of the diocese, who was in correspondence with the Ministry in London, and who organized a local intelligence department in the Hanoverian interest.

Owing to the badness of the roads, General Wade was unable to send assistance from Newcastle to Carlisle or to come himself. On this becoming known, the two militia regiments mutinied and left the town, which was thus compelled to surrender; and the Mayor and Corporation on November 16 attended in state while King James III. was proclaimed at Carlisle Cross. On the following day they went to Brampton, and presented the keys of the city to Prince Charles Edward, who made a triumphal entry into Carlisle on November 18, mounted on a white horse, and preceded by a hundred pipers.

Carlisle taken, the road to the South was open. A garrison was left in the place, and the Highlanders marched to Penrith, where they made requisitions for 1,000 stones of hay and 10 loads of oats on Lowther Hall, Edenhall, Dalemain, Hutton John, Hutton Hall, and Greystoke Castle. All complied but Lowther Hall, which would not give a thing. In consequence, probably, of this refusal, it was occupied by 100 Jacobite horse for a night or two. After the main body of the Highlanders had gone South, a party of twenty of their horse came from

¹ "Authentic Account of the Occupation of Carlisle in 1745 by Prince Charles Edward Stuart," by G. G. Mounsey. Carlisle: James Steel, 1846.

Carlisle and started to plunder Lowther Hall, but they were surprised by the steward, Mr. Armitage, with some sixty men from Penrith, twenty of whom only had guns, and several of the horse were wounded and taken prisoners. These last were sent to General Wade, who was then in Yorkshire. From thence he sent 120 soldiers to Penrith, who saved it from being burnt by the garrison of Carlisle in revenge for the surprise at Lowther Hall.

The Jacobite army, in its progress southwards, reached Kendal on the evening of November 22, and halted over the 24th, a Sunday, on which day the principal officers, with three ladies, one of whom was the Lady Ogilvie, attended divine service. Next day the Jacobite army continued its march to the south by Preston, Wigan, Manchester, Macclesfield, and Congleton to Derby.

On December 4, 1745, Prince Charles concentrated his army at Derby, and his advanced guard occupied the strong position of Swarkeston Bridge, which, nearly a mile in length, spans the Trent and the lowlands adjoining. On the 5th the Prince held a council of war; on the 6th he commenced his retreat. It is foreign to the present purpose to discuss why he did so, or to speculate on what might have happened had he pushed on for London, where the sensation produced by his arrival in Derby was intense. It was apprehended that he would evade the armies both of Marshal Wade and of the Duke of Cumberland, and march directly upon London. Wade's army he had already evaded. That commander, expecting the Highlanders to enter England by the eastern route, waited for them at Newcastle until too late; he then marched to Hexham, only to learn that Carlisle had surrendered, and to return to Newcastle, from which place he was marching through Yorkshire to the south, to intercept the Highlanders if he could.

The Duke of Cumberland, with an army of about 8,000, occupied at Stone the passages of the Trent between

Newcastle-under-Lyne and Lichfield, and barred the way towards the west; while a third army, famous by Hogarth's well-known picture, assembled on Finchley Common for the protection of London.

The Highlanders commenced their retreat on December 6, and passed the night at Ashbourne. The Chevalier de Johnstone says :

On the 7th we reached Leek, on the 8th Macclesfield, the 9th Manchester, 10th Wigan, and the 11th Preston, where we remained during the 12th. We arrived at Lancaster on the 13th, where we recruited ourselves during the 14th, and on the 15th we reached Kendal.¹

So soon as the Duke of Cumberland heard of the retreat, expresses were sent to the deputy-lieutenants and the magistrates ordering them to rouse the country, to break up the roads, and to break down the bridges. The Duke of Cumberland commenced his pursuit of the Highlanders on December 8, when he marched north with the whole of his cavalry and a number of infantry mounted upon horses, which were supplied by the gentry of the neighbourhood. Wade returned to Newcastle, but sent his cavalry, under Major-General Oglethorpe, to join the Duke of Cumberland, which they did at Preston on December 13, having marched, spite of weather, 100 miles in three days.

The principal difficulties the Highlanders encountered in their retreat occurred on their passage through Westmorland. The deputy-lieutenants of that county on December 14, in obedience to the command of the Duke of Cumberland, issued orders to at once demolish Wastall Bridge and break up the road over Grayrigge hawse in order to make the roads from Kendal and Appleby impassable for artillery and wheel-carriages. The sequel shows that the roads were bad enough in their natural state. The deputy-lieutenants were a

¹ "Memoirs of the Rebellion in 1745, 1746," by the Chevalier de Johnstone. London, 1822 : Longman and Co. ; third edition.

little late in moving in the matter, for an advanced party of the Highland army arrived at Kendal on the morning of that same day (Saturday, the 14th). It consisted of 110 or 120 hussars under the Duke of Perth, who, according to Lord George Murray's account, had been sent off to make his way to Scotland to bring up men and to carry despatches. This force was accompanied by a chaise, in which was "a person in woman's clothes." Another account says two ladies, and the suggestion was thrown out that one was Prince Charles himself in female attire, endeavouring to get back to Scotland. The reception the Duke of Perth got from the Kendal people was a warm one. Hodgson, in his "*History of Westmorland*," says :

They passed quietly till they came into Finkle Street, when the mob suddenly fell upon them with clubs, stones, and anything they could pick up in their hurry. The Duke's men made a short stand, a little below the fish market, and fired several shots, by which four people received wounds of which they died. Of the rebels none were killed on the spot, but four made prisoners, one of them Perth's servant. The rebels then pushed briskly forward, and were pursued near a quarter of a mile to Stramongate bridge by the enraged populace, annoying them with stones. Then they made another stand here, and seemed as if they would return ; but a townsman having crept privately to the bridge, fired at the foremost, who immediately let his gun and cloak fall, and could not turn his horse ; but by the help of his companions they got to Shap, from which place they proceeded that afternoon to Eamont Bridge ; but perceiving Penrith beacon on fire, they inquired the reason, and being told that it was to raise the country, and that all the hedges from that place to Penrith were lined with armed men, they returned to Shap, where they halted during the night.

The arrival of the Duke of Perth in Kendal had been preceded by an anonymous letter to the Mayor, containing a report that the Highland army had been severely defeated by the Duke of Cumberland. The fact that the Duke of Perth and his hussars rode through the town without a halt would tend to confirm the Kendal men in

the idea that they were fugitives, and might be mobbed, and stoned, and shot—acts which they would hardly have indulged in had they known that the Highland infantry in full force, and undefeated, was close behind the horsemen.

To return to the Duke of Perth, whom we left halted for Saturday night, the 14th, at Shap. The unfounded report of a Highland defeat had got well into circulation,¹ and not only were the Penrith people in arms to cut off stragglers, but even Dalston, Sebergham, and Brough turned out strong parties, armed as best they could, who guarded Armathwaite and Sebergham Bridges. On Sunday, the 15th, the Duke of Perth and his hussars made an attempt to get into Scotland by the route along the eastern bank of the river Eden. They went by Cliburn, Temple Sowerby (where they crossed the Eden by Temple Sowerby Bridge) and Culgaith to Langwathby Moor. But the Penrith men crossed the river lower down at Langwathby Bridge, and with a number of countrymen got within pistol fire of the hussars at Apple-side Hill on Langwathby Moor in Cumberland. They mobbed the hussars out of Cumberland, and through Westmorland, through Culgaith, Newbiggen Moor, Kirkby Thore, where the hussars pressed one Jack Boucher as a guide, through the river Eden at Bolton, through Moorland, Newby-Mill-Flat, and Reagill to Shap, thence to Orton Scar, where they left them. The hussars refreshed at Orton, and got back to Kendal on Sunday night, after a somewhat exciting, if somewhat inglorious, two days' excursion through the two counties of Cumberland and Westmorland. One wonders that a party of over 100 hussars could not cut their way through a mob of Penrith townsmen and country people.

¹ The report at Penrith took the form that the Highlanders were surrounded at Lancaster. Another report was of a battle at Ellet-moor, five miles south of Lancaster: "Carlisle in 1745," p. 131.

The Highlanders levied a fine on Kendal for the death of their hussar, and when the bulk of their army reached Penrith on the 17th they threatened to burn that town for "Sunday hunting." Ere the Highlander army arrived, most of the Penrith men made themselves scarce, and Wade's 120 soldiers marched out to Gamelsby.

The hussars having now rejoined the Highland army at Kendal, we have the whole Highland army to deal with.

On Monday, December 16, the whole Highland army left Kendal at daybreak, hoping to reach Penrith that night, a distance of about twenty-five miles. This march is well described by the Chevalier de Johnstone, who at this time served as a captain in the Lowland regiment of Scotch, known as the Duke of Perth's. The company which he commanded was, with three others of the same regiment, detailed off for the arduous duty of escorting the artillery. The rear of the march was brought up by the commander-in-chief, Lord George Murray, who was under the impression—an erroneous one—that Marshal Wade's army was within two miles, and that an engagement was imminent. As a matter of fact, Wade's infantry were making for Newcastle, and his cavalry under Major-General Oglethorpe, in company with the Duke of Cumberland and his cavalry, and probably some mounted infantry, only reached Kendal on the following day, Tuesday, the 17th.

Owing to the bad state of the roads and the weather, the Highland army got on Monday, the 16th, no further than Shap, where they stayed the night. Their artillery did not even get so far; some ammunition waggons broke down about a league and a half or some four miles from Kendal, and the artillery and its escort passed the night on the high-road in a storm of wind and rain. On Tuesday, the 17th, the Prince, with the bulk of the army, arrived at Penrith; but the artillery and its escort, now

reinforced by the Macdonalds of Glengarry, to the number, the Chevalier says, of 500 men, but more probably of 300, only managed to reach Shap, and that with great difficulty, at nightfall. It will be convenient to here give the Chevalier de Johnstone's own account of the first part of the next day's proceedings :

We set out from Shap by break of day, on the 18th, to join our army, which waited for us at Penrith ; but we had scarcely begun our march when we saw a great number of the enemy's light horse continually hovering about us, without venturing, however, to come within musket-shot. The appearance of these light horsemen appeared the more extraordinary, as hitherto we had seen none in the whole course of our expedition into England. Having arrived at mid-day at the foot of an eminence (Thrimby Hill), which it was necessary to cross in our march to Penrith, about half-way between that town and Shap, the moment we began to ascend we instantly discovered cavalry, marching two and two abreast on the top of the hill, who disappeared soon after, as if to form themselves in order of battle, behind the eminence, which concealed their numbers from us, with the intention of disputing the passage. We heard at the same time a prodigious number of trumpets and kettle-drums. Mr. Brown, Colonel in the train of Lally's regiment, was at the head of the columns with two of the companies, which the Duke of Perth had attached to the artillery, and of which mine was one. After them followed the guns and ammunition waggons, and then the two other companies attached to the artillery. Lord George was in the rear of the column with the regiment of Macdonalds. We stopt a moment at the foot of the hill, everybody believing it was the English Army, from the great number of trumpets and kettle-drums. In this seemingly desperate conjecture, we immediately adopted the opinion of Mr. Brown, and resolved to rush upon the enemy, sword in hand, and open a passage to our army at Penrith, or perish in the attempt. Thus, without informing Lord George of our resolution, we darted forward with great swiftness, running up the hill as fast as our legs could carry us. Lord George, who was in the rear, seeing our manœuvre at the head of the column, and being unable to pass the waggons in the deep roads confined by hedges, in which we then were, immediately ordered the Highlanders to proceed across the enclosure, and ascend the hill from another quarter. They ran so fast that they reached the summit of the hill almost as soon as those who were at the head of the column. We were agreeably surprised, when we reached the top of the hill, to find, instead of the English Army, only

three hundred light horse and chasseurs, who immediately fled in disorder,¹ and of whom we were only able to come up with one man, who had been thrown from his horse, and whom we wished to make prisoner to obtain some intelligence from him; but it was impossible to save him from the fury of the Highlanders, who cut him to pieces in an instant. From the great number of trumpets and kettle-drums which the English horse had with them, there is every reason for supposing that they had design to endeavour to induce us to turn aside from the main road, by making us believe that the whole English Army was at hand before us; and if we had fallen into the snare which was laid for us, in a few hours every man of our detachment would either have been killed or taken prisoner.

This episode took place about mid-day. The light horse and chasseurs have generally been put down as local militia; in reality they were light horse pushed on from a column² under General Bland, which was endeavouring to intercept the Highland army by pushing on through the lanes westward of the main road. None of the historians of the occurrences of December 18 mention that General Oglethorpe was operating with a detached column, which moved parallel to the main column of the Duke of Cumberland through Orton and Crosby Ravensworth, but it is proved by a letter from a Mr. Lamb, printed in Mounsey's "*Carlisle*" in 1745, p. 136. Mr. Lamb says:

On Wednesday morning I carryed some letters to General Oglethorpe, at Orton, who the Duke expected would have been with the Rear Guard of the Rebels the night before. I went with them till they took ye road to Strickland Head, then I took the Shap road, and at Shap Thorn I came in sight of the Duke's army about 120.

There can be no doubt that the 300 chasseurs (light horse), trumpeters and kettle-drums had been hurried on from Bland's column to intercept the lagging Highland

¹ Lord George Murray, a more experienced soldier than the Chevalier, says: "They moved off at top gallop, and gave me no more trouble."

² We learn this from Dugald Graham, and that Bland had with him Bland's dragoons, Kingston's light horse, and the Yorkshire Hunters.

train of artillery and its escort, and cut it off from the Highland army.

At twelve o'clock we get the position thus: the Duke of Cumberland's army at Shap; the Highland artillery and its escort (four companies of the Duke of Perth's regiment and the Macdonalds) ascending Thrimby Hill, beyond which were light horse, chasseurs, trumpeters, and kettle-drummers, while Bland was endeavouring to get in front of them on their west flank, and Oglethorpe, with Ligonier's dragoons, was somewhere on their east flank, making his way to Brougham Common, where the Appleby men were ordered to meet him. The situation was serious; had the Highlanders halted or left the road, a short time would have seen them caught between the columns of the Duke of Cumberland and General Bland, and General Oglethorpe would have got before them to Brougham Common, and cut them off from Penrith. But they were able to brush away the light horsemen and chasseurs. The Chevalier de Johnstone now takes up the story:

We immediately resumed our march, but in less than an hour¹ one of our ammunition waggons having broken from the badness of the roads, we were obliged to halt. The singular adventure of the light horse had filled me with some uneasiness, as I was unable to account for their audacity, unless the army of Marshal Wade were much nearer us than we imagined, and I communicated my fears to Mr. Grant, an officer of great talent, who commanded our artillery, and acted as our engineer at the same time; and, in order that we might not lose time in repairing the broken waggon, I suggested to him that we should go to a farm which we saw on our right, about a quarter of a league from us, and try to procure one. He consented; and we took seven or eight men with us, of whom my sergeant, Dickson, was one. Having found a waggon in the courtyard of the farmer, we immediately carried it off²; and our march was retarded no longer than the

¹ That will make the time a little before one o'clock.

² Thrimby Hall suits the description of the place, or it may have been nearer Hackthorpe. It is marked on the Chevalier's plan.

time necessary for transferring the ammunition from one waggon to another. In returning from the farm, Dickson called our attention to something which appeared blackish to us, on a hill about a league to our left ; and he alone, contrary to the opinion of everyone else, maintained that he saw it moving, and that it was the English Army advancing towards us. As we took what we saw for bushes, and as nobody, excepting himself, could distinguish anything, I treated him as a visionary ; but he still persisted, till I ordered him to be silent, telling him that fear alone could have filled his imagination with the idea of an army. However, his last word was that we should see in an hour whether or not he was in the right. When we had advanced about two miles,¹ we were soon convinced that Dickson's eyes were much better than ours. The Duke of Cumberland, having followed us by forced marches, with two thousand cavalry, and as many foot soldiers mounted behind them, fell suddenly on the Macdonalds, who were in the rear of the column, with all the fury and impetuosity imaginable. Fortunately the road running between thorn hedges and ditches, the cavalry could not act in such a manner as to surround us, nor present a larger front than the breadth of the road. The Highlanders received their charge with most undaunted firmness. They repelled the assailants with their swords, and did not quit their ground till the artillery and waggons were a hundred paces from them and continuing their route. Then the Highlanders wheeled to the right and ran with full speed till they joined the waggons, when they stopt again for the cavalry, and stood their charge as firm as a wall. The cavalry were repulsed in the same manner as before with their swords. We marched in this manner about a mile, the cavalry continually renewing the charge, and the Highlanders always repulsing them, repeating the same manoeuvre and behaving like lions.²

The plan given by the Chevalier de Johnstone shows that the column seen by Sergeant Dickson was marching, not on the main road between Shap and Clifton, through Hackthorpe, but on a loop road or lane to the west of the main road, running through Lowther and the Lowther

¹ Two miles would take about an hour to march ; this brings the time of day to 2 p.m. We shall see the artillery passed Clifton Town End about 2.30 ; the charge mentioned in the text must have taken place about half a mile, or rather more, from the Town End.

² No one appears to have been killed or hurt in these charges, of which Lord George Murray makes no mention. The Chevalier's account is probably an exaggeration.

enclosures—it must have been the column under General Bland, consisting, as Dugald Graham tells, of Bland's dragoons, Kingston's light horse, and the Yorkshire Hunters, some of whom had already been encountered on Thrimby Hill; the Duke of Cumberland with his force was three miles behind, and no doubt on the main road, while Bland was pushing forward along the side lane through the Lowther enclosures, to get between the Highland artillery and Penrith. This he probably would have done had any delay taken place over the broken waggon, but the Chevalier's presence of mind prevented this. The cavalry, however, got touch of the rear of the Highland artillery escort immediately after the junction of the two roads; the Chevalier talks of a running fight for a mile, which is about the distance between the junction of the roads and Clifton moor. This running fight must have taken place about 2 p.m.; messengers had been sent to Penrith by Lord George Murray, and a body of Highland infantry under Cameron of Lochiel had moved from Penrith and taken post at Lowther Bridge behind the river Lowther, to assist the Highland train of artillery, and the Scotch cavalry had come out to Clifton. The Chevalier de Johnstone may be now dismissed, for though he continues his story, he was no longer an eyewitness, as the train of artillery and the four companies of Perth's regiment did not stop for the fighting at Clifton, but proceeded at once to Carlisle, not stopping at Penrith, except for a short rest.

Thomas Savage, of the Town End, Clifton, whose letter to his friend Richard Partridge is given in "The History of Penrith," published at that place by B. Sweeton, 1868, now takes his place. Thomas Savage says :

Now I shall give thee to understand the beginning and the end of the engagement. First, the rebel hussars being gone past to Penrith, came riding back to my door in haste, between one and two in the

Then in an hour after¹ came back again driving up the army to my door, and some others then took their place, and set themselves in ambush against my barn, and the cross houses that our King's men could use to them, we not knowing their design, but I was so much afraid of the devil, and so we went into my house; yet could not stay long, and returned forth and looking about me, I saw the King's men appearing upon the hill,² at the south of my house, whereupon my very heart was in a great degree that a great number might be cut off before they could get to the place; so our care was to give the King's men notice, for which Jonathan Savage) ventured his life, and gave them notice at 300 yards before they came to the place; when in the meantime a second ambush was laid, about 100 yards nearer to our King's men, and the King's hussars with some of the Yorkshire Hunters, came down, and so soon as they came opposite to the first ambush, the rebels fired upon them, but did no execution; and then issued out the ambush at my doors and a furious firing they had, the King's men acting the quickest and nimblest that ever my eyes beheld, not one of them receiving any harm. Some horse followed the former, so that in a few minutes the rebels ran away like mad men, and just by my door one of the rebels was brought down, and taken, and a Captain Hamilton was also taken at the same time. They were both had up to the Duke.

This happened about three o'clock. D. Graham states that the hussars engaged on the English side were Kingston's light horse, and that the horse were Bland's dragoons, and that Bland ordered his cavalry to retire. Bland, after being warned by Jonathan Savage, would not consider it prudent to attack the enemy until the Duke of Cumberland came up in force; from Graham we learn the Duke was three miles (say an hour) behind Bland. Thomas Savage says the "rebels ran away like madmen;" this may seem strong language, but Lord George says:

¹ This brings the time to about 2.30 p.m., the artillery and its escort, now reinforced by the Scotch hussars, passing Clifton Town End. We have previously, at 2 p.m., got them to within a mile of the Town End—viz., the junction of the two roads, where the running fight began.

² Bland's column debouching from the road upon the south or high end of Clifton Moor.

Our hussars, upon seeing the enemy, went off to Penrith. One of their officers, Mr. Hamilton, with two or three of his men, had dismounted (being ashamed of the going off of the others).

Hamilton took refuge in a cottage a little detached from the town; one of the Duke's hussars (said by D. Graham to be an Austrian) fired through the window, and drove Hamilton out; a sharp combat ensued, but the hussar captured Hamilton, who was much cut about the head. The other prisoner was one Ogden, of the Manchester regiment. No other casualties are recorded as having occurred during this spirited little rally. Thomas Savage shall continue the story:

Then all was still about an hour, in which time I abode in the house, the King's troops still standing upon the common; in which time my son went over a little green to see if he could get the cattle brought into the houses, but seeing that in vain, came homewards again, when four rebels on horseback seized him, calling him a spy, and had him down under their horses' feet, swearing desperately many times they would shoot him; three of them commanded the fourth to shoot him, which he attempted with his gun, and pistol, but neither would fire, so he escaped, and came in a little after . . . and in the time of quietness as above, they had sent off a party of their horse to plunder and burn Lowther Hall and town, and were also plundering our town, leaving nothing they could lay their hands on, breaking locks, and making ruinous work, even to all our victuals and little children's clothes of all sorts.

Lord George Murray had, in sending horse to Lowther Hall (he accompanied them himself), a much more important object than that of plunder. He tells us that his object, if he succeeded in driving the Duke's cavalry back out of Clifton, was to fall upon them in the narrow lanes, where he calculated that

If but twenty of their horse could be killed, it would make such an embarrass in the lane, that it would put them to confusion, and choke up the only road they had to retreat except the Appleby road, and that might also be secured, which would give us an advantage that perhaps we should not meet the like again.

This, however, Lord George was unable to effect. The

Duke of Cumberland's forces were through the lanes, and drawn up on the Clifton Moor, before Lord George could intercept them; and Lord George's horse did nothing beyond capturing a militia officer in green, probably a Yorkshire Hunter, and the Duke of Cumberland's footman. Lord George himself returned from Lowther Hall to Clifton, and saw to the disposition of the forces he had with him. He had sent the artillery off to Penrith, or, rather, to Carlisle. His first object was, of course, to secure its safety. His hussars had bolted, but he had with him about 1,000 men, Highlanders and Lowlanders, most of whom had come to him from Penrith. The Athol brigade had also advanced from Penrith to a position on the north side of Lowther Bridge, and there waited for orders. Lord George's account of how he disposed his forces is printed in several books. The Glengarry men were in the enclosures, on the right of the road—Lord George's right, that is, the west side, the same side as Savage's house at Town End. Appin's and Cluny's men were in the enclosures on the left, or east side of the road, with Roy Stewart's men (the Edinburgh regiment) on the side of the lane, or highway, close to the village. Lord George says:

The ditches at the foot advanced more towards the muir on the right than on the left; and that part was also covered by Lord Lonsdale's other enclosures, so that they could not easily be attacked, but had the advantage that they could with their fire, flank the enemy when they made an attack on our left. The lane, which was the high road between these small enclosures was not above twenty feet broad. It was now an hour after sunset, pretty cloudy, but the moon, which was in its second quarter, from time to time broke out and gave good light; but this did not continue above two minutes at a time. We had the advantage of seeing their disposition, but they could not see ours.

Ray says the same, and that the buff belts of the dragoons made them conspicuous.

The Duke of Cumberland's forces were by now drawn

up in two lines on the high end of the common, Bland's, Kerr's and Cobham's forming the first line, and Montagu's and Kingston's the second; a detachment faced the Appleby road, and the Duke's baggage was in the rear of the second line. The left regiment of each line was wheeled up inward, to their right, or east.

Lord George gives us the time of the commencement of the skirmish—an hour after sunset, which on December 18th would be about 5 p.m. Mr. Lamb, in a letter printed in Mounsey's "*Carlisle in 1745*," says the firing began about 4 p.m.,—the "popping shots" no doubt, which Lord George mentions, as we shall presently show.¹ We will again put Thomas Savage into the witness-box. He says :

I was again growing uneasy to go out, which I ventured to do ; and looking about me, I saw the King's men standing as before upon the common ; turning me about I saw the rebels filling the town street, north of my house, and also lining the hedges and walls, even down to my house on both sides. Then I was in great pain for the Duke and his men, it beginning to grow darkish ; but I ventured my life, and stood a little way off, and waved my hat in my hand, which some of them discovering, one of them riding down towards me, and I called to him, bidding him to cast his eyes about him, and see how the town was filled, and hedges lined, after which he returned.

We need not relate the personal adventures of the worthy Quaker ; his evidence fails us now, for he, wise man that he was, locked himself into his house during the fight that presently ensued, and his daughter-in-law, the mistress of his house, hid in the kitchen cupboard. About this time Lord George received an important order from the Prince, and he shall tell what the order was and how he replied thereto. He says :

Colonel Roy Stewart returned to me from Penrith. He told me his royal highness had resolved to march for Carlisle immediately, and

¹ It would be about 4 p.m. when Thomas Savage came out and looked round, 5 p.m. when the dragoons and Highlanders came to close quarters.

had sent off the cannon before, and desired me to retreat to Penrith. I showed Col. S. my situation with that of the enemy. They were by this time shooting popping shots among us. I told him if I retreated, being within musket shot of the enemy, they would follow up the lane, and I must lose a number of men, besides discouraging the rest ; that from Clifton it was a narrow road and very high walls, so that I could not line them to secure my retreat ; and that probably my men would fall into confusion in the dark ; and that the enemy by regular platoons in our rear, being encouraged by our retreat, must destroy a great many ; and by taking any wounded man prisoner, they would know our numbers ; whereas I told him I was confident I could dislodge them from where they were by a brisk attack, as they had, by all that I could judge, not dismounted above 500. Their great body was on horseback, and at some distance ; and Cluny and he owned that what I proposed was the only prudent and sure way, so we agreed not to mention the message from the Prince.

Lord George then visited the Glengarry men, and cautioned them to reserve their fire until the enemy were close, and not to fire across the road ; further, when the enemy retired, they were to give them a flank fire, but not to follow them up the moor. He next returned to the left of his line east of the road.

We must now go to the Duke of Cumberland ; he had dismounted some of his men, namely, portions of Bland's, Kerr's, and Cobham's dragoons, who advanced against the Highlanders, leaving their horses in charge of their comrades. Bland's dismounted dragoons went into the enclosures east of the road, Kerr's went straight up the road, while Cobham's went through the enclosures and got in rear of the Glengarry men. Then the fighting began. Thomas Savage can tell no more than that " the firing on all hands was dreadful and continued half-an-hour." Lord George's account is as follows :

We had advanced and a good deal of fire on both sides. After the Highlanders on that side had given most of their fire they lay close at an open hedge, which was the second in these fields. We then received the whole fire of the dragoons that were at the bottom, upon which Cluny said " What the devil is this ? " Indeed the bullets were going thick enough. I told him we had nothing for it but going down

upon them sword in hand, before they had time to charge again. I immediately drew my sword and cried "Claymore." Cluny did the same, and we ran down to the bottom ditch, clearing the diagonal hedges as we went. There were a good many of the enemy killed at the bottom ditch, and the rest took to their heels, but received the fire of the Glengarry regiment. Most of Ardsheel's men, being next the lane, did not meet with so much opposition. I had given orders that our men should not pass the bottom ditch to go up the muir, for they would have been exposed to the fire of the Glengarry regiment that could not distinguish them from the enemy. We had now done what we proposed, and, being sure of no more trouble from the enemy, I ordered the retreat, first Roy Stewart, then Appin, Cluny and the Glengarry men; and it was half an hour after the skirmish before we went off. The Atholl brigade had come the length of a bridge, within half a mile of Clifton, hearing of my being in sight of the enemy, and there waited for orders. Had the rest of the army come out, and following the plan that was proposed, they would have been on the flank of the dragoons that were on horseback by the time we attacked the others.

We will now give the Duke of Cumberland's account of this skirmish, quoting it from Ewald's "*Life of Prince Charles.*"

After a ten hours' march our cavalry came up with the rebels just beyond Lowther Hall: nay, we heard that their rear was in possession of it, but they left it on our approach, and threw themselves into the village of Clifton, which we immediately attacked with the dismounted dragoons, and though it is the most defensible village I ever saw, yet our men drove them out of it in an hour's time, with a very small loss. Cobham's and Mark Kerr's behaved both extremely well. As it was quite dark before the skirmish was over, we were obliged to remain content with the ground we had gained. What the rebels may have lost I can't tell; we have four officers wounded, none mortally, and about forty men killed and wounded. The regiment which suffered the greatest loss was the King's Own Regiment of Dragoons. By some confusion in the two dismounted squadrons commanded by Colonel Honeywood, they firing at 150 yards distance, and then giving way, the rebels came out with broadswords and wounded several of the officers, and some of the men. When the officers of the King's regiment were wounded, the rebels cried "No quarter, murder them," and they received several wounds after they were knocked down.

These two accounts fit into one another very well; it is clear Bland's dragoons broke—the regimental records

say they were ordered to retire a few paces, which the Highlanders took for a retreat, and rushed on them. Ray gives the following account :

The action was very sharp and desperate while it lasted, but at last ended in our favour, notwithstanding the rebels, from their situation, had greatly the advantage of us, we being obliged to go over the hedges up to the boot tops in water ; not only so, but it being late in the evening, they could see our buff belts and laced hats, when we could not so well discern their blue bonnets and dark colour'd plaids, so that we directed our fire at their fire, which was very hot on both sides. Notwithstanding these disadvantages we pushed them with such intrepidity that in about an hour they quitted the field and village and fled to Penrith.

For what happened next, we will go again to Thomas Savage. He says :

And after the heat of firing was over, all seemed still a little space, after which some came and broke in at my court door, calling sharply to open ; but we believed it to be the rebels, and would not open, when they began to be sharp, and orders were given to fire—they supposing the house to be full of rebels ; but I called and said I would open as fast as I could, and the first words said to me were, "Could the Duke lodge here to-night?" to which with pleasure I answered "Yes" ; and pleasant agreeable company he was—a man of parts, very friendly and no pride in him.

Young Mrs. Savage also emerged from the kitchen cupboard, and was saluted by the Duke with : "Madame, we come to protect you, not to do you any harm." One local legend is told concerning Colonel Honeywood, who commanded the dismounted squadrons of Bland's. One of the Highland prisoners was asked about the fight, how his side got on. His reply was : "We gat on (no)¹ vary weel, till the lang man in the muckle boots came ower the dyke, but his fut slipped on a turd, and we gat him

¹ The "no" is a conjectural emendation ; it makes the story tally with Cluny's surprised exclamation of "What the devil is this?" which looks as if at first things were not going well with Cluny's men. No doubt matters were much improved for Cluny when the commander of the dragoons went down.

down." The "lang man in the muckle boots" was the luckless Colonel Honeywood, who had but recently recovered from wounds received at Dettingen, namely, twenty-three broadsword cuts and two musket balls, which were never extracted. On this occasion he received three sword-cuts about the head; he was removed to Howgill Castle, of which he was the owner, through his mother, the heiress of the Sandfords, of Howgill. He was afterwards M.P. for Appleby from 1754 to 1784, and died in 1785, having attained high rank in the army. He lost his sword at Clifton, which was carried off by Cluny, chief of the Macphersons, as a trophy. According to Mr. Savage and Lord George, the fighting must have been over about 5.30, but Mr. Lamb, in a letter printed in "Carlisle in 1745," says it lasted until 8 o'clock. We imagine that when the Highlanders began to retreat after the skirmish, the Duke's light horse followed them up, and that "popping shots" continued for long to be exchanged between stragglers from both sides.

Nothing is said in the accounts of the fight about General Oglethorpe and his detached column, except that he turned up on Brougham Common, but too late to get before Lord George Murray and cut him off from Lowther Bridge and Penrith. We can only suppose Oglethorpe was unable to get up in time; for his failure he was brought before a court of inquiry at the Horse Guards in February, 1746, and was honourably acquitted.¹

The Highlanders, after the skirmish at Clifton, went off to Penrith, and marched at once from that place to Carlisle, marching all night; the whole Highland army arrived at Carlisle early next morning in a sorry condition, and straggling over eight miles of road. The Duke and his forces occupied Clifton that night, the main bulk of them standing under arms on the moor.

¹ Lecky's "History of England," 18th century, vol. i., p. 503. See also "General Biographical Dictionary," revised by Chalmers in 1814, *sub voce* Oglethorpe.

The number of the killed and wounded on each side has been the subject of much discussion. Captain Hozier says the total number of the English killed and wounded exceeded one hundred men, while the Highlanders lost but twelve. Let us see what the actual witnesses say. Thomas Savage says: "Ten of the King's men were killed and twenty-one wounded, and five rebels." Mr. Lamb rode over the field next morning, and saw "seven of our men dead, and there was thirteen wounded. . . . I only see four rebels killed." Ray says eleven of the King's men were killed and twenty-nine wounded, and he specifies the killed as seven of Bland's, three of Cobham's, and one of Mark Kerr's. The wounded included Colonel Honeywood, Captain East, and Cornets Owen and Hamilton. The English official account was forty killed and wounded. The parish register at Clifton agrees exactly with Ray's account, except in giving one man less from Bland's; it agrees exactly with the number of dead given by Savage, viz., ten; but one man of Bland's lingered, and was buried on January 8, 1745, O.S. The following are the extracts from the register:

The 19th of December, 1745, Ten Dragoons, to wit, six of Bland's, three of Cobham's, and one of Mark Kerr's Regiment buried, who was killed y^e evening before by y^e Rebels in y^e skirmish between y^e Duke of Cumberland's army and them at y^e end of Clifton Moor next y^e town.¹

Robert Akins, a private Dragoon of General Bland's Regiment, Buried y^e 8th Day of Janry., 1745.

Savage and Lamb were eye-witnesses, so was Ray, but he had also the opportunity, before he wrote his book, of correcting his information by the official returns. The regimental records of the three regiments engaged make the killed twelve; the discrepancy of one man may be

¹ We have been told that before the English dragoons were buried "the clerk's wife stripped their holland shirts from them, and that woman never did a day's good after."

accounted for by a desertion, or a wounded man dying subsequently at Carlisle.

Against these statements must be put one by the Chevalier de Johnstone, that "whole platoons of forty and fifty men might be seen falling all at once under the swords of the Highlanders." He also says some put the English loss as high as 600, *i.e.*, at more than the number at which Lord George estimated the whole number of men dismounted for the attack. The Chevalier was not an eye-witness, for he marched on to Penrith with the artillery, and what he says are "mere camp shaves," and may be paired off with the statements of the "eye-witness" cited in Hodgson's "Westmoreland," who says he saw scores of Highlanders fall, and "I am sure they never rose again while I kept my station." All accounts agree that only five of the Highlanders were found dead on the field.

They were buried by the "Rebel Tree." The legend that thirty or forty dead Highlanders were thrown into Clifton Mill Dam is very doubtful;¹ in fact, I take it that in the dark both parties fired high and wide; there is proof of this in the fact that Thomas Savage's cattle were in the thick of the fray, and were unhurt. The Chevalier de Johnstone says the total loss of the Highlanders at Clifton was only twelve, and their total loss in England, including these twelve, only forty. But letters printed in "Carlisle in 1745," and written by Messrs. Hutchinson, Lamb and Nicolson, state that from forty to seventy Highland prisoners were taken after the skirmish at Clifton.

The question has been much mooted as to which army was victorious in this, the last engagement ever fought on English ground. Both commanders claimed a victory.

¹ Some Highland stragglers were probably drowned in crossing the Lowther and Eamont, which were in high flood: so the report may have originated.

Most writers put it down as a defeat for the English, which checked their pursuit of the Highlanders, and Ewald, in his "Life of Prince Charles," accuses (very groundlessly) the Duke of Cumberland of a want of veracity in his account of the action. But the very account cited by Ewald as proof of the Duke's want of veracity agrees most singularly with the real facts of the action. The Duke says :

After a ten hours' march¹ our cavalry came up with the rebels just beyond Lowther Hall—nay, we even heard that their rear was in possession of it, but they left it on our approach, and threw themselves into the village of Clifton, which we immediately attacked with the dismounted dragoons, and though it is the most defensible village I ever saw, yet our men drove them out of it in about an hour's time, with a very small loss.

This agrees exactly with what Savage and Lord George say: the firing lasted half an hour; after it ceased Lord George retired. The Duke continues :

Cobham's and Mark Kerr's behaved both extremely well. As it was quite dark before the skirmish was over, we were obliged to remain contented with the ground we had gained. What the rebels may have lost I can't tell; we have four officers wounded, none mortally, and about forty men killed and wounded.

All this is strictly correct and true. He then goes on to say that the King's Own Regiment (Bland's) suffered severely, got into confusion and gave way; he does not conceal it. He further says :

The little affair at Clifton, though but trifling, has increased the terror and panic which has daily been coming on among the rebels.

Mr. Ewald cites this with the remark "H.R.H. coolly says." H.R.H.'s remark was, however, quite justifiable. The way in which the Scotch hussars were "Sunday-chased" all round Westmorland by a few rustics justifies it. Of the conduct of the same hussars at Clifton, Lord George says :

¹ Twenty miles of difficult country and bad roads.

Our hussars, upon seeing the enemy, went to Penrith. One of their officers, Mr. Hamilton, with two or three of his men, had dismounted, being ashamed of the going off of the others.

That is "terror and panic" enough, bolting and leaving their officer. The whole Highland army was, after Clifton, in a very disorganized condition. What does Lord George himself say of it?

It was lucky I made the stand at Clifton, for otherwise the enemy would have been at our heels, and come straight to Penrith; where, after refreshing two or three hours, they might have come up with us before we got to Carlisle. I am persuaded that night and next morning when the van entered Carlisle there was above eight miles from van to our rear, and mostly an open country full of commons.

I will not say Lord George Murray was under the influence of "terror and panic," but clearly he was in a very anxious frame of mind.

But why did not the Duke pursue the Highlanders in their hurried retreat? He says:

He dared not follow them because it was so dark, and the country between Clifton and Penrith so extremely covered; besides his troops, both horse and men, were so fatigued with their forced marches.

Mr. Ewald calls this an excuse; it seems a very reasonable one. His troops had marched that day twenty-four miles in ten hours—it was dark—after 6 p.m. on December 18; the country between Clifton and Penrith such as could be most easily defended; two rapid and broad rivers, Lowther and Eamont, crossed by narrow bridges, are situate between these places; the road was a narrow lane between high walls. Lord George, indeed, says he could not have hindered the Duke from following him into Penrith, and that he could not have lined the walls. Lord George is quite right—with the Duke at his heels he would have had no time to loophole and line the walls, and form ambushes, but the Highlanders, who remained in Penrith and never appeared on Clifton moor, might easily have loop-holed and lined every wall, defended

Lowther and Eamont bridges, and turned every house (and there are some very suitable ones) into a fort. No prudent commander would by night venture into such country unless he were first aware of the sort of opposition he would meet with.

Mr. Ewald indulges in the following sneer at the Duke, for which there is not the slightest foundation :

History teaches us that the Duke of Cumberland is not the only commander who has represented a defeat as a victory in his despatches.

The Duke fought his enemy, drove him off the ground, and bivouacked for the night on it ; by all the laws of war he is entitled to score a victory. He did not follow up his advantage for three good reasons : his troops were fatigued, the country was difficult, it was dark, after night-fall.

Lord George himself, as we have seen, only writes of the affair as a "stand," a successful one indeed, and he withdrew at once after he had made it ; he did not (as Mr. Ewald says) send for reinforcements *after it*, that he might improve it ; he sent for reinforcements *before it*, in order that he might make a flank attack on the dragoons while in the lanes to the south of Clifton Moor. These reinforcements he did not get, so that he could not carry out his intention. But he did get his artillery off safe, and that artillery must have been for the last two days a matter of great anxiety to him. It seems that the events of the day are creditable to the military skill of both generals, and each was probably justified in considering he had got the better of his rival. Neither of them is open to the charge of falsifying despatches ; one admits his hussars bolted, the other that Bland's dragoons broke.¹

¹ The account of the fight at Clifton is abbreviated from a fuller one by the author in the *Transactions, Cumberland and Westmorland Antiquarian and Archaeological Society*, vol. x., p. 186, which is elucidated by nine maps and plans, and the letters and proofs are given in appendices.



CHAPTER XVIII.

MISCELLANEOUS.

THE circumstances under which the inhabitants of Westmorland lived, for ever exposed to raids and forays, influenced the fashion of their habitations. It is a common remark at every archæological meeting in the county that the kernel of almost every "hall house," and of many an old farmhouse, in Westmorland, as in Cumberland, is the lower story of a "peel tower," round which the rest of the building has gathered. Sometimes the peel tower has escaped mutilation, and stands more or less free of the buildings of later date. Sometimes a more modern tower is built to match, and the two are connected by a range of buildings which contain the hall and other principal apartments; in such case the later of the two can always be detected by its thinner walls and the absence of a vault over the basement. In some cases the peel tower makes no sign that the eye can see, and the curious archæologist has to search for its remains, probably the lower story only, in the strong room, the plate closet, the ale cellar, or the dairy, where its existence is at once betrayed by the great thickness of the walls compared with more modern additions. These peels, as we now find them, are small and massively built towers of stone,¹ with high-pitched roofs of slate,

¹ Mr. George Neilson, F.S.A. Scot., has very ably shown that the primitive signification of the word was a fort or fortification of wood-

generally three stories high, and surrounded by an enclosure called the "barmkyn." Once shut up in his peel, the owner and his family were safe enough, as were also his cattle in the barmkyn. There was little or nothing that could be set on fire, and without engines of war the peel could hardly be taken by a mere raiding party of moss-troopers and cattle-lifters. It was only when Border warfare degenerated into savagery, and professional soldiers were employed, that peels were destroyed. The second half of the fourteenth century was the period at which the oldest of the existing Border peels were erected; for their models the local builders took the quadrilateral or oblong Norman keep with which they had long been familiar at Pendragon, Brough, Brougham and Appleby. This became the universal type of the country dwelling-house in the fifteenth century, not only throughout Northumberland, Cumberland and Westmorland, but also on the Scottish side, the pattern undergoing sundry modifications, such as the addition of projecting turrets at the angles, bartizans built out, or a small wing added to a corner so as to give the place the shape of the letter L. The principles of the simple rectangular keep continued to prevail during the sixteenth, and even so late as the seventeenth, century, until mansions dropped their castellated character.¹ These peels are generally oblong. Dr. Taylor gives a table of their dimensions, varying from 78 feet by 34 feet in the largest instance, to 28 feet by 24 feet in the smallest. They are almost invariably in three stories: in the lowest, generally roofed by a stone vault, the stores of winter

work—*Transactions, Glasgow Archaeological Society*, January 9, 1891. That is very likely so; but in Westmorland the cheapness of building in stone must at an early date have caused wood to be superseded by stone.

¹ See "The Old Manorial Halls of Westmorland and Cumberland," by Dr. M. W. Taylor, F.S.A., p. 41.

provisions were kept; the next floor was the solar, and the third was the special sleeping place. Cooking was probably done in the open air, or in a shed, or in a part of the solar screened off for the purpose. The roof over the third floor was the fighting deck, whence missiles were hurled down upon besiegers. The walls of the peels vary in thickness from three and a half to six or even ten feet. The walls are massive and durable, built sometimes in rough rubble masonry, at others in good ashlar work, and sometimes with set-offs marking the different floors. Most usually the walls rise from a foundation of ponderous blocks, but occasionally a moulded plinth occurs. The flat pilaster buttresses characteristic of Norman work do not occur in the case of the ordinary peel towers. The summit of these is always surrounded by a crenulated parapet, about four and a half feet high, generally slightly projected from the walls. The roof is usually flat or nearly so: gutters and projecting gurgoyles carry away the rain water.

Up to the end of the fourteenth century the square peel tower constituted the entire habitation of the ordinary lord of a manor in Westmorland. But in the next century the fashion arose of erecting a distinct building against one of the faces of the tower to serve as the common hall or dining-room, instead of the lord's solar on the first floor; this advance in comfort and refinement brought about the erection of a permanent kitchen at the end of the hall opposite the dais, and separated off by a passage between wooden screens. In the new manor-houses built during the fifteenth century the main building still followed the type of the Norman, but to gain extra room a projecting turret was built out at one angle so as to give the plan the form of the letter L, the door being generally in the angle. During the sixteenth century more extensive modifications of the keep plan were adopted, and mansions began to assume the form

of ranges of buildings facing a courtyard. In some cases, whilst the old peel tower and dining-hall were retained, another tower in symmetry with the original one was added to the opposite end of the block, so as to give the form of the letter H. Our readers who wish to follow up this subject must consult Dr. Taylor's charming volume, to which we have already referred, and to whom we owe most of what we have said, not, perhaps, so much to his book as to his personal expositions and lectures at the many manorial halls in Westmorland we have visited together.

The panel woodwork in many of these halls is of great beauty, or perhaps 'was' is the correct word to use, for in too many cases it has been allowed to go to utter decay, while in some instances it has been sold to the authorities of the South Kensington Museum. Sizergh Castle could perhaps of all the county boast the finest display of woodwork in panelled rooms. Elaborately wrought plaster ceilings frequently occur, but are mostly in a perishing condition. In some cases the halls retain their original dining-tables, massive planks of oak 13 to 15 feet long, 4 or 5 inches thick, and 3 feet or more broad; they are carried by framed legs, and, to use an old legal expression, they *smack* of the realty and pass with the land, and not as personalty.

The student of Dr. Taylor's book, or the archæological pilgrim who visits the halls there recorded, will find that most of them have passed out of the possession of the families of their original lords, and have been gathered into the great vortex of the Lowther estates. This policy was inaugurated by Sir John Lowther, afterwards the first Viscount Lonsdale, in the last half of the seventeenth century; he purchased Biggins from the Prestons of Holker, Murton from the Hiltons, Yanwith from the Dudleys, Hartsop from the Lancasters, Clifton from the Wybergs, Cliburne from Timothy Cliburne, Esq.,

and Grayrigg Hall from Anthony Duckett, the last heir of that family, about 1680. Sir John's successors continued that policy; in 1728 they purchased the great Wharton estates at Wharton and Shap, and so added largely to their political power.¹ Thus it comes to pass that many manorial halls have come to the condition of mere farmhouses.²

There would seem to be little connection between the splendid pile of buildings known as Lowther Castle, and a Westmorland peel tower, but the present castle is the successor of three or four mansions called Lowther Hall that have stood upon or near the same place, and which have been successively pulled down for rebuilding, or in one instance burnt. A memorandum by Sir John Lowther in 1630³ shows that the Lowther Hall of that date was of the H type, a central building joining two towers, of which Sir John says that it is not known who built the older tower, but that the later one was built by his great-grandfather, Sir Richard Lowther and his wife, when he was in the Tower of London for entertaining Mary, Queen of Scots; this will give us the date of 1568 or 1569. This Sir John and his grandson, Sir John (the first Viscount), who succeeded him in the estates, did a great deal to the hall; some accounts say that the Viscount rebuilt the central portion about 1685; anyhow, that portion was destroyed by fire in 1726, and again rebuilt between the two towers or wings. In January,

¹ A story, probably apocryphal, asserts that there is preserved at Edenhall a letter from a political personage to the then head of the Musgrave family, exhorting him to buy the Wharton estates, "and dish the d——d Lowthers."

² The trustees of the late Alderman Thompson, who died in 1854, M.P. for Westmorland, have, under the terms of the Alderman's will, added estate to estate in Westmorland. These are now enjoyed by Lady Henry Bentinck, great-grand-daughter of the Alderman.

³ Made before he succeeded to the title, which he did in 1637. Cited by Dr. Taylor in his book, p. 94.

1808, the foundation-stone of the present castle was laid, and in the summer of 1809 it was completed from the designs of Sir Robert Smirke; it is in the modern Gothic style. The picture and sculpture galleries are very fine: a peculiar feature is a gallery appropriated exclusively to portraits of Westmorland worthies.

Edenhall, the seat of the Musgraves, was rebuilt in 1824, on the site of an old house from designs of Smirke; it contains some good pictures. The legend of the Luck of Edenhall is well known; it is a glass of Eastern make, in a case of *cuir-bouilli*; the butler, going one morning to draw water from the Fairy Well, surprised a party of fairies dancing, and seized a glass which they had left near the well; the fairies fled, singing:

If this glass shall break or fall,
Farewell the luck of Edenhall.

Brougham Hall, formerly the Bird's Nest, was mainly rebuilt in 1829 and in 1840. It contains some good armour, evidently foreign, and a "Norman" passage painted with scenes from the Bayeux tapestry. Sizergh Hall or Castle, the seat of the Stricklands, near Kendal, is remarkable for its fine woodwork, and Levens Hall for its quaint gardens laid out by Beaumont, the gardener to James II., who designed the gardens at Hampton Court; it is also famed for its "morocco," or old ale; both Sizergh and Levens are well described in Dr. Taylor's book. Pendragon Castle in Mallerstang is a small Norman keep, in ruins, standing in the midst of heavy earthworks of earlier date. Newbiggen Hall, the residence of Montague Crackenthorpe, Esq., Q.C., the present chairman of quarter sessions, dates from 1533, and consists of two rectangular oblong towers joined by a central block; one of the merlons in the parapets is pierced for a small cannon, and stone effigies of armed knights stand with arms akimbo on the battlements, the only instance of such in Westmorland or Cumberland.

Underley Hall, now the seat of Lady Henry Bentinck, is modern, of the Elizabethan style, built at the beginning of this century.

Appleby and Kendal have been dealt with in the earlier part of this book ; some small space must be devoted to the various market towns in the county.

Ambleside is a market town, and in the seventeenth century was a mart for wool and yarn. Its position on the roads into Cumberland, whether by Dunmail Raise or by High Street, must have always made it an important strategic place, a fact the Romans recognised by making a camp there. It is now much resorted to as a place of residence, and the whole shore of the lake between it and Bowness is studded with edifices that are well calculated to make shudder in their graves the bones of the departed Lake Poets. Palatial villas arise on the shores of Windermere to accommodate the families of wealthy Manchester and Liverpool men, who avail themselves of the excellent train service, while hideous lodging houses intrude between the villas and the lake. The village of Bowness, now disguised under the name of Windermere, is also, from its proximity to the railway, a favourite place of residence, and large areas of wood and meadow have become building land. Grasmere, too, has become a place of great resort, but rather for tourists than permanent residents as yet, but that will come when, some day, the inevitable railway is extended thereto. Ambleside and Kendal are the only two ancient market towns in Kendal Ward. Milnthorpe in this ward has also a market, and is the only seaport in the county ; but as vessels can seldom get near it, the trade done is insignificant.

The market towns in Lonsdale Ward are Burton-in-Kendal and Kirkby Lonsdale. The market at the first place was established in 1661, and was once of importance, but began to decline with the opening of the Kendal

and Lancaster canal in 1819. Kirkby Lonsdale is most beautifully situated on the right bank of the Lune, which is crossed by a fine and lofty bridge of three arches, two of a span of 55 feet each, and one of a span of 28 feet; the parapet is 52 feet above the ordinary level of the river. Its origin is unknown, and it has been attributed both to the Romans and to the devil. The church is a fine and interesting structure, and an Anglo-Saxon "burh" is in the vicarage grounds.

The West Ward of Westmorland contains no market town at all, but the East has three in addition to Appleby, viz., Orton, Brough-under-Stainmore, and Kirkby Stephen. Orton owes its chief celebrity to having had for its vicar from 1736 to 1785 that celebrated authority on ecclesiastical and magisterial law Dr. Richard Burn, part author of a history of Westmorland, and Chancellor of the diocese of Carlisle. Brough-under-Stainmore is famous for its great cattle and horse fair, held on September 30 and October 1 on a hill two miles from the town. In the days before railways vast stores of provisions, notably gigantic game pies with standing walls of crust of preternatural toughness and thickness, used to be provided at the inns on the roads *en route* to and from the fair for the consumption of the farmers, drovers, and dealers who resorted there upon business, but railways have by now curtailed the glories of the road. The church, of Perpendicular architecture, yielded up during repairs an inscribed stone which was at first supposed to be runic, and a translation of it as such was supplied by Professor Stephens; but it has been conclusively proved to be six Greek hexameters to the memory of Hermes of Comagene, in Asia Minor, who died at Brough aged sixteen. The Norman castle and the Roman camp have been mentioned elsewhere in this work. Kirkby Stephen is on the left bank of the river Eden, and possesses a large church which has some interesting features. The Wharton

Chapel contains an effigy of Thomas, first Lord Wharton, lying between two hard-visaged women, his wives; a helmet with bull's head crest is under his head; there is also a long inscription in Latin, which was paraphrased thus by Chancellor Burn, then schoolmaster of Orton :

Here I Thomas Wharton do lie
With Lucifer under my head ;
And Nelly my wife hard by,
And Nancy as cold as lead :
Oh, how can I speak without dread !
Who could my sad fortune abide,
With one devil under my head,
And another laid close on each side !

Westmorland is plentifully supplied with grammar schools: those at Appleby and Kendal have already been mentioned. There was a famous one at Bampton, one of whose masters boasted that he had educated more than three hundred priests: Bampton school was founded in 1628 by Thomas Sutton, D.D., a native of the parish, and Rector of St. Saviour's, Southwark. Gerard Langbaine, Provost of Queen's College, Oxford, and a native of Barton parish, and Launcelot Dawes, founded a grammar school at Barton. There is one at Brough-under-Stainmore, which grew out of a chapelry founded by John Brunskill and Thomas Blenkinsop in 1506. Heversham has a famous and flourishing school, founded in 1613 by Edward Wilson, of Heversham Hall. Thomas, Lord Wharton founded one at Kirkby Stephen in 1566, and one at Kirkby Lonsdale was founded under charter from Queen Elizabeth in 1591. Others exist, or did exist, at Lowther, Measand, Morland, Orton, Ravenstonedale, Thrimby, Waitby and Winton. There never was, throughout the sixteenth, seventeenth, and eighteenth centuries, lack of opportunity in the diocese of Carlisle for those who would work to obtain a sound education at a very moderate cost, frequently gratuitously. But in the end of

the eighteenth century, and more so in the nineteenth century, these schools fell largely into decay; one cause was that the local gentry commenced to send their sons from home to be educated at the great public schools, or at academies, where they met only persons of their own rank; the other, that these schools did not move with the times: they frequently taught Latin and Greek, and Latin and Greek only; and when these languages were the only passport to distinction, all classes were satisfied with them. But a demand arose for other knowledge available in the commercial and engineering and other lines of life, and boys were sent away to acquire such, and also to unlearn the local accent. Many of these schools have now awoken, and in one way or another have been regenerated; some of them seem to have bright futures before them. The capstone to this educational edifice was the exclusive privileges which natives—Westmorland together with those of Cumberland—enjoyed at Queen's College, Oxford. Were the lists of matriculations at that college published, and the careers of the students followed out, the number of priests of the Church of England that would be proved natives of the two counties would be as extraordinary as the heights in the Church to which many of them rose from being mere peasant lads. The vast majority of the natives of Westmorland and Cumberland who went to universities selected the Church as their profession, but many attained to high positions in political and legal life. Changes at Oxford have largely deprived the natives of the two counties of the preferences they enjoyed at Queen's College, Oxford; these changes have not been for the educational interests of the county of Westmorland.

Sheep-farming is the great resource of the district: on the fell farms the farmer rents the sheep as well as the farm, and when the fell farmer enters upon his holding, the sheep are numbered and valued, and the farmer

covenants with his landlord to leave upon the farm, when he quits it, the like number and value. Should he then have a surplus stock, he is bound to offer it to the landlord at a valuation. The stock of the fell farmer varies little: increase is occasioned by mild winters and low prices, decrease by high prices and severe winters. The breed of sheep is known as the Herdwick, and legend says that they escaped from a vessel belonging to the Spanish Armada, wrecked near Muncaster, and spread thence through the Lake District of Westmorland, Cumberland, and Lancashire. They are a small, gray-faced race, and can stand starving better than any other sheep: they can, indeed, pick up a living on the fells in winter, when no other breed could; if buried under the snow by chance, they will survive for two or three weeks, but generally they make off, on warning of snow, to the exposed sides of the fells, where the snow does not lie. A Herdwick sheep is very much attached to its own "heaf," or that part of the fell where it generally goes; thus, on a large unenclosed common, there may be many herds of Herdwicks belonging to various owners, each of which keeps together, and to its own "heaf": stragglers of course there are, and on this account meetings are held twice a year at fixed places, to which shepherds who have lost sheep, and shepherds who have found sheep, resort, for the purpose of a "clearing house." To facilitate this, each fell farm (not farmer) has a series of marks peculiar to its sheep, and these are illustrated in "The Shepherd's Guide," published periodically at Appleby and other places. They consist of strokes and pops and letters marked with tar or ruddle on an animal's body, and of lug or ear marks: a Herdwick sheep's ear is halved, and quartered, and key-bitted, and ritted into all sorts of patterns, regardless of the animal's feeling: a fell farmer must think Providence provided Herdwick sheep with ears for the purpose of being carved into marks. The

ewes are not horned, but the tups generally are: the mutton is superior to that of most low-country sheep, but the wool is inferior, short in staple, somewhat grayish, and inclined to be hairy. Some of the Herdwicks are black or brown, and their wool was mixed with the white, in order to save expense of dyeing, and spun at home into the material which gave the "gray coats" of Westmorland their name. The coats and waistcoats of homespun were ornamented with brass buttons, and worn with knee-breeches of leather, if the wearer was well enough off; gray or blue stockings, also homespun, completed a costume at once picturesque and convenient. The ordinary foot-gear was clogs, which, in holiday costume, gave way to shoes and buckles. The women wore homespun linsey-woolsey petticoats and long-tailed bed-gowns, a blue linen apron completing their attire. Their bonnets, of pasteboard covered with black silk, much resembled a coal-scuttle. But these old-world costumes have now vanished.

The people who wore these clothes were independent, prudent and thrifty: oatcake, porridge, bacon, dried legs of mutton, rye bread, and skim milk cheese, were their ordinary articles of diet—poor fare, but it made bone and muscle. The amusements of the men thus nurtured were fox-hunting on foot on the fells, and wrestling. Many old-world superstitions still survive among them, well worth the attention of folk-lorists, but the cautious and suspicious north-countrymen are slow to confide their beliefs to anyone.

The manorial houses have already been described: the cottages of the dalesmen or "statesmen"¹ were built of unhewn stone, sometimes without mortar, and roofed

¹ In Westmorland and Cumberland the peasant, or better than peasant, proprietors are called "estatesmen" or "statesmen." In these two counties a "yeoman" is used only of a horse soldier, or by a lawyer.

with rough slates : the wood-work throughout was of oak ; the beams were made of whole trees, roughly squared with the axe, while the smaller rafters and joists were split. The houses of the usual size contained as a rule only three rooms on the ground floor, viz., the kitchen or general sitting-room, the dairy, and the parlour, where the master and mistress generally slept ; stone steps gave access to the loft, an unceiled apartment, generally divided into two and used for sleeping ; an out-house or down-house with set-pot, and a huge porch, completed the accommodation.





A CLASSIFIED LIST OF BOOKS, ETC., RELATING TO WESTMORLAND.¹

GENERAL WORKS.

- WESTMORLAND AND CUMBERLAND, the History and Antiquities of. By NICOLSON and BURN. 2 vols. London: Strahan and Cadell, 1777.
- WESTMORLAND, a Topographical and Historical Description of the County. HODGSON. London: Sherwood, Neely and Jones, no date.
- WESTMORLAND AND CUMBERLAND, History, Directory and Gazetteer of. PARSON and WHITE. Leeds: White and Co., 1829.
- WESTMORLAND, History of. 2 vols. No author's name. Kendal: Sayer, 1847.
- WESTMORLAND, History, Topography and Directory of. By MANNIX. Beverley: Johnson, 1849.
- WESTMORLAND, History of. By W. WHELAN. Pontefract: Whelan and Co., 1860.
-
- THE PIPE ROLLS, or Sheriff's Annual Account of the Revenues of the Crown for the Counties of Cumberland, WESTMORLAND, and Durham, *temp.* Henry III., Richard I., and John. Newcastle: Newcastle Society of Antiquaries 1847.
- NORTHERN REGISTERS, Historical Papers and Letters from. Edited by CANON RAINE. Rolls Series. London: Trübner and Co., 1873.

¹ This list is not meant to be exhaustive; far from it. It does not include guide-books, directories or novels; it only includes such local biographies as throw light on the manners or history of the inhabitants; it does not include general works, such as Camden, Cox's "Magna Britannia," etc., many of which, by the evil ingenuity of the book-rippers, are doled out to purchasers in county sections; nor does it include the great Lake poets.

- WESTMORLAND, Views of Castles in. By S. and N. BUCK, 1739.
- WESTMORLAND (and Cumberland) : An Excursion to the Lakes in 1773 and 1774. By W. HUTCHINSON. London : Wilkie and Charnley, 1776.
- WESTMORLAND (Cumberland and Lancashire), Description of. By JOHN HOUSMAN. Carlisle : F. Jollie, 1800.
- CUSTOM AND TENANT RIGHT (The Border Services of the North). By C. ELTON, Q.C. London : Wildy and Sons, 1882.
- CARLISLE—Diocesan Histories Series. By CHANCELLOR FERGUSON. London : S.P.C.K., 1889.
- WESTMORLAND CHURCH NOTES, being the Heraldry, Epitaphs and other Inscriptions in the thirty-two Ancient Parish Churches and Churchyards of that County. By E. BELLASIS, *Lancaster Herald*. Kendal : T. Wilson, 1888.
- WESTMORLAND NOTE-BOOK, THE. 1 vol. only. Kendal : E. Gill, 1888-89.
- WESTMORLAND, CUMBERLAND AND LANCASHIRE, An Archæological Survey of. By CHANCELLOR FERGUSON and H. S. COWPER, F.S.A. Reprinted from *Archæologia*. Society of Antiquaries of London, 1893.
- WESTMORLAND AND CUMBERLAND, Mountains and Lakes of. By W. GILPIN. London : Cadell and Davies, 1808.
- WRESTLING AND WRESTLERS. By JACOB ROBINSON and SIDNEY GILPIN. Carlisle : G. and T. Coward, 1893.

LOCAL WORKS.

- KENDAL, Fragments relating to the Vicars. By K. K. Kendal : T. Wilson.
- KENDAL, Short History of the Church. Kendal : Atkinson and Pollitt, 1883.
- APPLEBY AND VICINITY. By Rev. CANON MATHEWS. Appleby : Whitehead and Son. Various editions.
- RAVENSTONEDALE, History and Traditions of. By Rev. W. NICHOLS. Manchester : Heywood, 1877.
- MALLERSTANG FOREST AND PENDRAGON CASTLE, History and Traditions of. By Rev. W. NICHOLS. Manchester : Heywood, 1883.
- TROUTBECK. By a Member of the Scandinavian Society (JOHN WAGER). Kendal : Atkinson and Pollitt, 1876.
- THE LONSDALE MAGAZINE. 3 vols. Edited by J. BRIGGS. Kirkby Lonsdale, 1820, 1821, 1822.

- THE KIRKBY STEPHEN MAGAZINE ; contains a History of the Parish. By the Rev. CANON SIMPSON.
ANTIQUITATES BREMATONACENSES. By the Rev. R. RAUTHMELL. London : Woodfall, 1746.
LEVENS HALL, History of. By Rev. G. F. WESTON. Kendal : Atkinson, 1861.

GUIDE-BOOKS.

- WESTMORLAND, CUMBERLAND AND LANCASHIRE—A Guide to THE LAKES. By the Author of "The Antiquities of Furness" (WEST), 1780.
LAKE GUIDE BOOKS form a library in themselves.

ETHNOLOGY AND DIALECT.

- THE WESTMORLAND DIALECT. By ANN WHEELER. Kendal : Branthwaite, 1790. New edition, London, 1840.
WESTMORLAND DIALECT, Poems, Songs, and Ballads, in the Kendal, 1839.
WESTMORLAND AND CUMBERLAND, The Northmen in. By ROBERT FERGUSON. London : Longmans and Co. ; Carlisle : R. and J. Steel, 1856.
WESTMORLAND AND CUMBERLAND, Ancient and Modern. By J. SULLIVAN. London : Whitaker and Co., 1857.
WESTMORLAND, SPECIMENS OF THE DIALECT. By Rev. THOMAS CLARKE, 1880-91.
WESTMORLAND DIALECT, SPECIMENS OF THE. By W. W. SKEAT, 1879.
WESTMORLAND DIALECT, Sketches in. By A. B. TAYLOR. Kendal, 1882.

LOCAL POETS.

- POETICAL EFFUSIONS. By JAMES LICKBARROW. 1814.
POETICAL WORKS OF JOHN LANGHORNE. 1804.
POEMS. By T. W. HOLME.
ENGLISH LAKES, Scenery and Poetry of. By C. MACKAY, 1846.
ECHOES OF THE PAST. By ENNIS SMITH. Kendal : T. Wilson, 1863.
RUSTIC STUDIES AND POEMS. By W. BOWNESS. Kendal : T. Wilson, 1868.
WESTMORLAND SONGS. By T. BLIZARD. Kendal : T. Wilson, 1868.

- EVENING STRAINS AND MORNING PASTIMES. By JAMES HOGGARTH. Kendal, 1880.
 ECHOES FROM YEARS GONE BY. By JAMES HOGGARTH Kendal, 1892.
 POEMS. By Rev. R. D. HOPE, 1888, 1894. Kendal : T. Wilson.
 POEMS. By E. QUILLINAM, 1891.

GENEALOGY AND BIOGRAPHY, ETC.

- TUFTON FAMILY, Memorials of. Gravesend : Pocock, 1800.
 JAMES II., Memoir of. By JOHN, LORD VISCOUNT LONSDALE. York : Wilson and Spence, 1808.
 NICOLSON, BISHOP, Letters of. Edited by JOHN NICHOLS. London : Nichols and Son, 1809.
 WESTMORLAND, VISITATION OF, 1615. By ST. GEORGE. James Rogers, 1858.
 WESTMORLAND AND CUMBERLAND M.P.'S. By CHANCELLOR FERGUSON. Carlisle : C. Thurnam and Sons, 1871.
 WESTMORLAND AND CUMBERLAND, EARLY FRIENDS. By CHANCELLOR FERGUSON. Carlisle : C. Thurnam and Sons. 1871.
 WESTMORLAND AND CUMBERLAND, VISITATION PEDIGREES. By JOSEPH FORSTER. Carlisle : C. Thurnam and Sons ; Kendal, T. Wilson. No date.
 THE WORTHIES OF WESTMORLAND. 2 vols. By GEORGE ATKINSON. London : J. Robinson, 1849.
 DUCHETIANA ; or, Historical and Genealogical Notes respecting the Family of DUKET in Lincolnshire, WESTMORLAND, etc. By Sir G. F. DUKET, Bart. London : J. Russell Smith, 1874.
 GRAHAM, COLONEL JAMES, of Levens. By JOSCELINE BAGOT, M.P. Kendal : T. Wilson, 1886.
 CORNELIUS NICHOLSON, Memoirs of. By his Daughter. Kendal : T. Wilson, 1890.
 KENDAL, Reminiscences of Persons and Places in Kendal Sixty Years Ago. By D. K. K. Kendal : T. Wilson, 1890.
 LAKE COUNTRY ROMANCES. By H. V. MILLS, 1892.
 KENDAL AND THE LAKE DISTRICT. By G. M. BASSEY. Kendal.
 WESTMORLAND (North Lancashire and), NONCONFORMITY IN. By Rev. B. NIGHTINGALE.
 RAVENSTONDALE, PARISH REGISTERS OF. Edited by Rev. W. R. METCALFE. Kendal : T. Wilson, 1893.
 THE SHEPHERD'S GUIDE. Compiled periodically. Appleby.

THE CARLISLE TRACTS.¹

- 1.—A SERMON preached at the Funeral of the RIGHT HON ANNE CLIFFORD, COUNTESS OF PEMBROKE, DORSET, AND MONTGOMERY, at Appleby, April 14, 1675. By EDWARD RAINBOW, Lord Bishop of Carlisle, with memoirs of the above COUNTESS OF PEMBROKE and BISHOP RAINBOW. Carlisle: S. Jefferson, 1839.
- 4.—THE LIFE OF SIR PHILLIP MUSGRAVE, BART. By the Rev. G. BURTON. Carlisle: S. Jefferson, 1840.
- 7.—THE WORTHIES OF CUMBERLAND AND WESTMORLAND. By THOMAS FULLER. Carlisle: S. Jefferson, 1841.

PUBLICATIONS OF THE CUMBERLAND AND WESTMORLAND ANTIQUARIAN AND ARCHÆOLOGICAL SOCIETY.

TWELVE VOLUMES OF TRANSACTIONS. Edited by CHANCELLOR FERGUSON, F.S.A. Kendal: T. Wilson, 1874-1894.

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 NO. 6.—TODD'S CATHEDRAL OF CARLISLE AND PRIORY OF WETHERAL.

NATURAL HISTORY.

- WESTMORLAND AND CUMBERLAND, Essay towards a Natural History. By T. ROBINSON. London : Freeman, 1709.
 LAKE DISTRICT, GEOLOGY OF THE. By Professor SEDGWICK. Kendal : Hudson, 1847.
 WESTMORLAND, GEOLOGICAL REMAINS IN. By J. BOLTON, 1869.
 LAKE DISTRICT, Geology of Northern Part of. By J. CLIFTON WARD.
 WESTMORLAND, SALMONIDÆ OF. By G. F. BRAITHWAITE. Kendal, 1884.
 LAKE DISTRICT, FLORA OF. By J. G. BAKER, 1885.
 LAKE DISTRICT, NEW FOSSILIFEROUS HORIZON. By H. A. NICHOLSON and J. E. MARR, 1887.
 KENDAL, SEDBERGH, BOWNESS AND TEBAY, Geology of Country Round. By W. T. AVENTINE and T. MCKENNY HUGHES. 1888.

SHAP, Granite and Associated Rocks. By A. HARKER and J. E. MARR. 1891.

MALLERSTANG, Geology of Country Round. By J. R. DAKYNS, 1891.

LAKELAND, VERTEBRATE FAUNA OF. By Rev. H. A. MACPHERSON. Edinburgh: D. Douglas, 1892.¹

WESTMORLAND, THE NATURAL HISTORY RECORD. Kendal: E. Gill, 1888-89.

HISTORICAL MANUSCRIPTS COMMISSIONERS, REPORTS OF.

TENTH REPORT. Appendix. Part IV. The Manuscripts of LORD MUNCASTER, of CAPTAIN JOSCELINE F. BAGOT, of Levens, of the CORPORATION OF KENDAL, of GEORGE BROWNE, of Troutbeck.

TWELFTH REPORT. Appendix. Part VII. The Manuscripts of S. H. LE FLEMING, of Rydal Hall.

THIRTEENTH REPORT. Appendix. Part VII. The Manuscripts of THE EARL OF LONSDALE.

ARTICLES IN PERIODICALS.

RETREAT OF THE HIGHLANDERS IN 1745. By CHANCELLOR FERGUSON. *Reliquary*, 2nd series, vol. ii., p. 171.²

LAKE DISTRICT, Physical History of. By J. CLIFTON WARD.

DALESFOLK, The, in Cumberland and WESTMORLAND. By ONE OF THEM. *Fraser's Magazine*, July, 1875.

HERDWICK SHEEP. By H. A. SPEDDING. *The Field*, September 27, 1873.

MAPS.

WESTMORLAND, Map of, by SPEED, 1610.

————— " and Cumberland, by C. S., corrected by P. LEA.

————— " by R. BLOME, 1672.

APPLEBY, A PLAN OF, from an Actual Survey, taken 1754: NATH HILL. Shows the burgage tenements for which votes were claimed at the General Election in 1754.

KENDAL, Map of, see Speed's Map of Westmorland.

¹ Some Notes on Westmorland Birds are contained in "Cumberland Birds." By Macpherson and Duckworth. Carlisle: C. Thurnam and Sons, 1886.

² Reprinted, with additions, in the *Transactions of the Cumberland and Westmorland Antiquarian and Archaeological Society*.



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